

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

65th Legislative Day

5/27/2003

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask you to turn off your cell phones, your pagers, your computers. We ask the guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Lee Crawford, the Assistant Pastor of the Victory Temple Church in Springfield."

Crawford: "Let us pray. Oh gracious God of might and God of wisdom and the God of mercy, from whom all of our blessings flow. We pray that You would assist us today with Your spirit of great counsel and guidance. I pray, Father, that You would impress up on us the importance of grace and mercy, love and honor. Teach us how to wait patiently, for it is Your word that says that 'they that wait up on the Lord' that You shall renew their strength. They shall mount up with wings as eagles. They shall run and not be weary. They shall walk and they shall not faint. This we pray and ask in your Son's name, as we wait patiently upon You. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Froehlich."

Froehlich - et al: "I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all."

Speaker Madigan: "Roll Call for Attendance. Representative Currie."

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Currie: "Thank you, Speaker. Please let the sh... the record show that Representatives Delgado, Feigenholtz, Graham and Scully are excused."

Speaker Madigan: "Mr. Bost."

Bost: "Let the record reflect that all Republicans are present. Sounds like we're almost even today, too. The way it sounds."

Speaker Madigan: "The Clerk shall take the record. There being 113 Members responding to the Attendance Roll Call. There is a quorum present. Mr. Clerk. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Hoffman, Chairperson from the Committee on Transportation & Motor Vehicles, to which the following measure/s was/were referred, action taken on Tuesday, May 27, 2003, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 173; recommends 'be adopted' a Motion to Concur with Senate Amendment #1 to House Bill 2301. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on Tuesday, May 27, 2003, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bills 702, 719, 742, 744, Senate Bill 774, Senate Bill 842, Senate Bill 874, Senate Bill 969, Senate Bill 1005, Senate Bill 1634, Senate Bill 1725, Senate Bill 1733, Senate Bill 1903; 'do pass as amended Short Debate' Senate Bill 777, Senate Bill 955, Senate Bill 1000 and Senate Bill 1743."

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Speaker Madigan: "Mr. Franks. Mr. Franks, you are the Sponsor of Senate Bill 75. Did you wish to move the Bill? The Gentleman indicates he does not wish to move the Bill. Representative Currie. Representative Currie, you are the Sponsor of Senate Bill 100. Did you wish to move the Bill? Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 100, a Bill for an Act concerning compensation of public officials. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Hassert. Mr. Granberg, you are the Sponsor of Senate Bill 172. Did you wish to move the Bill? 172, It's concerned with taxes. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 172, a Bill for an Act concerning taxes. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Mr. Granberg."

Granberg: "Mr. Clerk, is there a Floor Amendment that has been filed?"

Speaker Madigan: "The Clerk advises that no Floor Amendments have been approved for consideration."

Granberg: "Okay. Yet out of the record, Mr. Speaker, one has been printed at the Speaker's request."

Speaker Madigan: "The Clerk further advises that the Amendment has not been filed."

Granberg: "Okay."

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Speaker Madigan: "And so, Mr. Granberg, would that be somebody else's responsibility?"

Granberg: "Well, I think it was at the request of certain people on the... on this side of the chamber. So, I'll make sure that someone has that file."

Speaker Madigan: "The Bill shall remain on the Order of Second Reading. Mr. Saviano, you are the Sponsor of Senate Bill 684. Did you wish to move the Bill? Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 684, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Saviano, has been approved for consideration."

Speaker Madigan: "Mr. Saviano."

Saviano: Thank you, Mr. Speaker and Members of the House. Floor Amendment #2 to 684 simply clarifies the requirements for the issuance of a School Service Personnel Certificate. This is brought to us by the Illinois Speech-Language-Hearing Association. I'd ask we adopt Floor Amendment #2 to Senate Bill 684."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Black, you are the Sponsor of Senate Bill 750. It's concerned with higher

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education. Did you wish to move the Bill? Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 7... 750, a Bill for an Act in relation to higher education. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Colvin, you are the Sponsor of Senate Bill 945. It's concerned with criminal procedure. Did you wish to move the Bill? The Gentleman indicates he does not wish to move the Bill. Mr. Miller, you're the Sponsor of Senate Bill 1109. It's concerned with public aid. Did you wish to move the Bill? 1109, public aid. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1109, a Bill for an Act in relation public aid. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Miller, has been approved for consideration."

Speaker Madigan: "Mr. Miller."

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the chamber. Sen... Sen... Floor Amendment #1 simply zeros out the co-pay for medications for generic... for generic medications. I ask for its adoption."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. The Chair recognizes Mr. Parke."

Parke: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

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Parke: "Can you give us more information. Why would... whatta we... whatta we doing away with for generic drugs?"

Miller: "As far as the co-pay?"

Parke: "Yeah."

Miller: "Be... because it's... it's actually from the initial Bill that was offered, the generic was a dollar. It's been negotiated with the Governor's Office to reduce it down to zero."

Parke: "And who loses on this? The insurance company or the consumer or who?"

Miller: "Well, since it's been agreed upon with the Governor and the pharmacist, the pharmacist would normally be the ones that would lose... lose it. If... if you or I come to a pharmacist and request a generic medication and we don't have our dollar co-pay, then the pharmacist has to eat that cost. And so... and so that's really traditionally that loses it. So, I don't know if it's considered a... since the... pharmaceu... pharmacist... the Illinois Pharmacists' Association has agreed upon it, I don't know if you could say they per se lose on this."

Parke: "And so this is a Floor Amendment? You never brought this before committee?"

Miller: "Yeah, it was... it was brought to committee and it was passed out of committee. And I'm presenting it... it today."

Parke: "With... okay, did anybody... did anybody object other than pointing out the compromise between the pharmacists and the Governor's Office?"

Miller: "No, there was no objection on... to it."

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Parke: "Okay. Thank you, Representative."

Speaker Madigan: "Mr. Stephens."

Stephens: "Just briefly, Mr. Speaker. The... the Bill's actually gonna save money. The... the use of generics used to be kind of frowned upon. But generics, as all my colleagues may know, are FDA approved, every one of them, every company or they can't go on the market. I vote a 'yes' vote... I urge a 'yes' vote."

Speaker Madigan: "The question is, 'Shall the Amendment be adopted?' Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Washington, you are the Sponsor of Senate Bill 1417. It's concerned with insurance. Did you wish to move the Bill? Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1417, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Washington, has been approved for consideration."

Speaker Madigan: "Mr. Clerk, are there any Amendments? Are there any Floor Amendments?"

Clerk Bolin: "Floor Amendment #2, offered by Representative Washington, has been approved for consideration."

Speaker Madigan: "Mr. Washington on the Amendment. Mr. Washington. Mr. Washington on the Amendment."

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Washington: "Thank you, Mr. Speaker. Mr. Speaker, this Bill deals with colorectal cancer. One of the third leading causes of death is cancer in our country. And it's something that we wanna continue to win the battle of eradicating. What this Bill does is simply amend the Insurance Code to require both individual and group insurance contract to provide coverage for colorectal cancer examination and laboratory testing for cancer in accordance... in accordance. There were some disagreement but as we stated, there's been an Amendment and there is no known opposition to this Bill. And I ask my colleagues to support me in this small way of fighting cancer and providing for coverage for colorectal cancer examination. I'm open for any question."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments."

Clerk Bolin: "No further Amendments."

Speaker Madigan: "Put the Bill on the Order of Third Reading. Mr. Phelps, you are the Sponsor of Senate Bill 1527. Did you wish to move the Bill? Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1527, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative O'Brien, has been approved for consideration."

Speaker Madigan: "Representative O'Brien on the Amendment."



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O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment would protect certain domestic animals from trapping. And what it does is that it prohibits the trapping of... cats which are fal... felidae, which are household cats and... and dogs. And it only covers intentional capture trapping or dispatching of these two kinds of animals. If one was caught in a trap that was set for another animal, it wouldn't affect that at all."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. The Chair recognizes Mr. Parke."

Parke: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Parke: "Representative, are you talking about trapping domestic animals?"

O'Brien: "We are seeking to prevent them from being trapped."

Parke: "And if they are trapped what happens?"

O'Brien: "Well, what this would do it would prohibit that specifically. And I don't see that there is a penalty clause in this Bill."

Parke: "So, we don't shoot anybody?"

O'Brien: "No."

Parke: "Good."

O'Brien: "And we don't trap them either."

Parke: "And your Amendment, in a few sentences, does what again?"

O'Brien: "I'm sorry, didn't hear you."

Parke: "Your Amendment does what?"

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O'Brien: "It prohibits an... under the Hunting Heritage Protection Act it specifically prohibits the intentional capture or trapping of household pets, specifically dogs and cats."

Parke: "And... and why are... why do we need to do this? What's... what's happened in the... in the real world that we wanna make sure it doesn't...?"

O'Brien: "Actually, the Humane Society and the ASPCA on the prevention of cruelty to animals came up with this idea. They worked extensively, first with Representative Feigenholtz and then came to me, because they think that there is a problem. And since we knew that the hunters and the trappers never intend to trap these kind of animals, it's just a real good clarification."

Parke: "Thank you, Representative."

Speaker Madigan: "The question is, 'Shall the Amendment be adopted?' Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Brosnahan, you're the Sponsor of Senate Bill 1621. It's concerned with health. Did you wish to move the Bill? Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1621, a Bill for an Act in relation to health. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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Speaker Madigan: "Third Reading. Mr. Rita, you are the Sponsor of Senate Bill 1740. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1740, a Bill for an Act concerning civil procedures. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Representative Currie. Currie. Currie, you are the Sponsor of Senate Bill 1784. It's concerned with public monies. Did you wish to move the Bill? The Lady indicates she does not wish to move the Bill. Representative Currie, you are the Sponsor of Senate Bill 1586. It's concerned with open meetings. Did you wish to move the Bill? Mr. Clerk, what is the status of the Bill."

Clerk Bolin: "Senate Bill 1586, a Bill for an Act concerning open meetings. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Representative Currie, you're the Sponsor of Senate Bill 1869. It's concerned with family law. Did you wish to move the Bill? Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1869, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Currie, has been approved for consideration."

Speaker Madigan: "Representative Currie on the Amendment."

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Currie: "Thank you, Speaker and Members of the House. This measure of this Amendment was discussed in the Judiciary I Committee. The effort is to narrow the scope of the Bill and make sure that appropriate evidentiary procedures are in place in situations where there is a dispute about parentage. I would be happy to answer questions and I'd appreciate your 'yes' vote on the Amendment."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Madigan: "Third Reading. Representative Currie, Senate Bill 1883. Do you wish to move the Bill? The Lady indicates she does not wish to move the Bill. Mr. Fritchey, you are the Sponsor of Senate Bill 1915. It's concerned with violence prevention. Mr. Fritchey, did you wish to move the Bill? Mr. Clerk... the..."

Clerk Bolin: "No Floor Amendments have been approved for consideration."

Speaker Madigan: "Bill shall remain on the Order of Second Reading. Mr. Jefferson, you are the Sponsor of Senate Bill 1994. It's concerned with unemployment insurance. Do you wish to move the Bill? Mr. Clerk."

Clerk Bolin: "Senate Bill 9... 1994, a Bill for an Act in relation to unemployment insurance. It's Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed. A state mandate's

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note requested on the Bill as amended has been requested and not filed."

Speaker Madigan: "The Bill will remain on the Order of Second Reading. Representative Nekritz, you are the Sponsor of Senate Bill 275. It's concerned with civil immunities. Do you wish to move the Bill? Nekritz. Lady indicates she does not want to move the Bill. Mr. Molaro, you are the Sponsor of Senate Bill 699. It's concerned with electronic transmissions. Did you wish to move the Bill? Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 699, a Bill for an Act concerning electronic transmissions. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Representative Kosel on Senate Bill 1147. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1147, a Bill for an Act concerning the American flag. Second Reading of this Senate... Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Madigan: "Representative Kosel. Turn on Representative Kosel."

Kosel: "Thank you, Mr. Speaker. I'd like the Bill moved to Third. And we're going to leave the Amendment that is in Rules in Rules. And just deal with the Amendment adopted in Committee."

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Speaker Madigan: "So, Mr. Clerk, there was a Committee Amendment adopted to the Bill?"

Clerk Bolin: "Amendment #1 was adopted in committee. Floor Amendment #2 has been referred to the Rules Committee."

Speaker Madigan: "Fine. So, put the Bill on the Order of Third Reading."

Kosel: "Thank you very much."

Speaker Madigan: "Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on May 27, 2003, reported the same back with the following recommendation/s: 'direct floor consideration' for Floor Amendment #4 to House Bill 422, Floor Amendment #1 to House... to Senate Bill 424, Floor Amendments 2 and 3 to Senate Bill 96, Floor Amendment #3 to Senate Bill 947, Floor Amendment #1 to Senate Bill 1038, Floor Amendment #2 to Senate Bill 1127; concurrence Motions recommended for adoption include Senate Amendment #1 to House Bill 1118 and Senate Amendment #1 to House Bill 3396."

Speaker Madigan: "Mr. Saviano. Mr. Saviano, you are the Sponsor of Senate Bill 487. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 487, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Motion has been filed to table Floor Amendment #2."

Speaker Madigan: "Mr. Saviano, for a Motion."

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Saviano: "Thank you, Mr. Speaker. I make a Motion to Table Amendment #2 it was inadvertently adopted. There was a... drafting flaw in table... in Amendment #2. And since then we have filed Amendment #3, which is the proper Amendment. I ask that we table Amendment #2."

Speaker Madigan: "Mr. Clerk, what is the status of Amendment #2?"

Clerk Bolin: "Floor Amendment #2, has been adopted to the Bill."

Speaker Madigan: "All right. The Amendment has been adopted to the Bill. The Gentleman moves to table the Amendment. Those in favor will signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Has Representative Wyvetter Younge voted? Has Jim Meyer voted? The Clerk shall take the record. On this question, there are 113 people voting 'yes', 0 voting 'no'. The Motion is adopted. And Amendment #2 has been tabled. Are there any further Amendments?"

Clerk Bolin: "No further Amendments have been approved for consideration."

Speaker Madigan: "Third Reading. Mr. Saviano, the Clerk advises that there's an Amendment #3 assigned to the Rules Committee. Did you wish to leave the Bill on the Order of Second Reading?"

Saviano: "Yes, please."

Speaker Madigan: "Mr. Clerk, on Senate Bill 487. Senate 487. Put the Bill on the Order of Second Reading. Mr. Boland, did you wish to move Senate Bill 820? It's concerned with

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public employee benefits. Mr. Boland. Mr. Clerk, has the Rules Committee approved an Amendment to this Bill, 820?"

Clerk Bolin: "Senate Bill 820, a Bill for an Act in relation to public employee benefits. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration."

Speaker Madigan: "Mr. Reitz. Is Mr. Reitz in the chamber? Did you wish to call Senate Bill 46? Mr. Reitz. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 46, a Bill for an Act concerning taxes. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Mr. Reitz."

Reitz: "Thank you, Mr. Speaker. Senate Bill 46 is, we discussed this earlier, it's the ethanol package. This extends the sunset for the ethanol for the next ten years. It ramps up the exempts... the tax exemption from 70 percent to 80 percent, generates around 16 to 17 million dollars additional revenue from the state. And this is a companion Bill with House Bill 46 that will have a \$15 million grant for that... for that project. And the only other int... I guess the introduction to this Bill says that 1212 and House Bill 46 will pass before this becomes law. And I'd be happy to answer any questions."

Speaker Madigan: "Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Sacia."

Sacia: "Thank you, Mr. Speaker. Will the Sponsor yield?"



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Speaker Madigan: "Sponsor yields."

Sacia: "Dan, I... I still have some concerns about this Bill. I do recognize that it is a companion Bill of House Bill 46. I'm continuing to get a lot of calls from my area in an area of nonorganized labor, if you will, private contractors that have a deep amount of concern over whether or not this Bill will hinder them as far as competitive bidding on ethanol projects. And I know you and I have had some conversations, but I guess I'm still looking for some articulation from you that would put their minds at ease a little bit more."

Reitz: "Well, then that would be more encompassed in House Bill 46. This... this Bill simply extends the sunset and changes the exemption from 70 to 80 percent. Now, there's nothing in this Bill dealing with the incent... with the grant program in House Bill 46. And that's where the prav... the prevailing wage language was and the project labor agreements."

Sacia: "Representative Reitz, I think there's a clause in there that makes reference..."

Reitz: "Right."

Sacia: "...to some other aspects..."

Reitz: "House..."

Sacia: "...of that."

Reitz: "Correct. It basically says that the preamble to this Bill says that it will become law effective when House Bill 12... or Senate Bill 1212 and House Bill 46 become law. So, those two have to pass first. But we have done our part in

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the process. House Bill 1212 has already passed. And House Bill 46 is in the Senate awaiting a vote over there."

Sacia: "But House Bill 1212 or Senate Bill 1212 makes a lot of references and so forth to the Prevailing age (sic-Wage) Act. Is that correct?"

Reitz: "That's exactly what it is. It says that if you receive state money you will have... you will use prevailing wage."

Sacia: "Thank you, Sir."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Black: "Representative, I just have a procedural question that... that I really don't understand at all. Maybe you can enlighten me. According to our staff, there is some kind of language or agreement that states this Bill will only take effect if two other Bills, in fact, pass and are signed into law. Those Bills are Senate Bill 1212 and House Bill 46. Now, my question is, under the Illinois Constitution and the Rules of the chamber, how in the world can that be an operative statement? That this Bill only takes effect if two other Bills are passed and signed into law. Does that language actually appear in the body of Senate Bill 46? The language of that Bill?"

Reitz: "Yes."

Black: "And it... I know that..."

Reitz: "It's actually a... Go on."

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Black: "...neither... neither one of us are constitutional scholars. I..."

Reitz: "You're a lot closer than I am."

Black: "Yeah, only because I've played one on the floor for a few years."

Reitz: "Right."

Black: "I... I don't ever recall running into this before. That has actual language in a Bill, that says this Bill will only become law if two other Bills become law."

Reitz: "It's... staff... staff tells me it is... it is a rare occurrence, but we have in the past done the things where it's contingent on another Bill passing."

Black: "It's..."

Reitz: "And this would... and this would be one of those rare occurrences."

Black: "Well, it's a very rare occurrence, that I will agree with. And as I recall, this is the ethanol Bill which we've never really had much of a controversy over, particularly after the oil industry's additive MBTE (sic-MTBE), was more or less outlawed by many states. But all of a sudden there's a Prevailing Wage Amendment that... that goes on the tax exemption ethanol Bill. That's... that's it in a nutshell, right?"

Reitz: "Yes."

Black: "All right. The Amendment... at one time the Amendment said even if it was a private development, if Danville Energy decided to build an ethanol plant with private

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dollars that... that the prevailing wage would apply. Now, I think that language has been changed, has it not?"

Reitz: "Yes. That Amendment never was acted on."

Black: "Just... just discussion?"

Reitz: "Correct."

Black: "Okay. Now, but this language clearly states that if any portion of the plant is built with a state grant or state low-interest loan, as I understand it, it could be as little as five or ten percent, if there's state money involved in the development of an ethanol or biodiesel plant, then prevailing wage is gonna apply?"

Reitz: "That... is in House Bill 46 actually and 1212, not in the body of this Bill. The only reference in this Bill is that these, that 1212 and 46... House Bill 46 will pass... will become law before this one does."

Black: "All right."

Reitz: "But in the body of this language, none of that is in there."

Black: "Well, what... what happens to this Bill if it passes, the Governor signs it and vetoes House Bill 46? I mean then... then do all... all three Bills are linked. If he vetoes one of them the other two are null and void?"

Reitz: "If it's amendatory, but no, actually if it's an outright veto, my understanding and I've been trying to spend more, more and more hours in a li... law library trying to brush up on these things and I still have a lot of work to do. But I would hope with the Speaker's guidance I'll be able to get better at that. And I have a lot questions

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for him, I know, in my hours of study. But my understanding is, that is exactly right. If one of these are vetoed then this Bill will not become law."

Black: "Well, Representative, I... this comes under the heading of law. I read one chapter that was in Latin. And it was entitled 'Incredulous'. And that's an old Latin word meaning, I really don't believe this. I... I've never heard of anything like this in my years here."

Reitz: "And... I should clarify, we do have an opportunity, I shouldn't say if the Governor vetoes it, we have an opportunity for the House and the Senate to override that veto and... and still become law. But absent that, that's my understanding also, that this Bill would not become law."

Black: "So, he could veto one and we could override it? What if he vetoes all three, then we'd have to override all three?"

Reitz: "Were gonna... yeah, we're gonna override all three. And I appreciate your help."

Black: "And... all of this, all of this convoluted, I... I won't say thinking, but this is a very com... this has become a very convoluted process. I have never seen it in my years here, where one Bill is contingent upon the passage of two others. And to put this on a Bill that we have discussed since the original... well, this goes back to OPEC, beginning in the 19... early 1970s. We have talked 30 years about renewable energy. I don't know how many more scrapes we're gonna get in until we take renewable energy seriously. And I don't know why we wanna link renewable energy with

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prevailing wage. But you know, I also know how to count. So, I'm... I'm sure this is gonna happen. But I just... I hope Members are aware of what they're voting for and the linkage of what they're voting for. And I... I do appreciate you answering the questions. I have a hunch that this wasn't your idea. But sometimes we do what we have to do. Thank you."

Speaker Madigan: "Mr. Reitz, did you wish to respond to that accusation that you can't have ideas of your own?"

Reitz: "Every once in a while I do have ideas of my own. And... I appreciate it. This is a very exhaustive process. And we've had a number of meetings on this. And... I... would like to add that the Farm Bureau and renewable fuels people and the corn growers, everyone is in full support of this package the way it's structured right now. I think we have an opportunity to grow the ethanol industry. And... and this extends the credit as an integral part of this whole package. And if I come up with another idea before we get done with this Bill, I'll... be happy to share it with everyone."

Speaker Madigan: "Mr. Stephens."

Stephens: "Mr. Speaker, a question of the... of the Chair. Is it appropriate that I replace Representative Black as a major cosponsor? Is that timely?"

Speaker Madigan: "I would think it is. But I... I'd want to know if Mr. Black agrees. Mr. Clerk, you can consult with the Gentleman at a later time on all of this. The question is, 'Shall this Bill pass?' Those in favor signify by voting

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'yes'; those opposed by voting 'no'. The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Black."

Black: "Thank you very much, Mr. Speaker. I... I did have my speak light on before the vote. You may not have seen it or... or it may have burned out. Which wouldn't surprise me. I'm surprised it's lasted this long. I... I do have an inquiry of the Chair."

Speaker Madigan: "Just to clear the record."

Black: "Yes."

Speaker Madigan: "I was... I was in the middle of my recitation. But the Bill having received so many votes when I saw your light go on."

Black: "Oh, you are right now?"

Speaker Madigan: "No. We're finished with the Bill."

Black: "Oh, you're finished with that."

Speaker Madigan: "But to clarify the record."

Black: "Yes."

Speaker Madigan: "I was in the middle of my recitation about the Bill receiving so many votes."

Black: "Oh, when you saw my light?"

Speaker Madigan: "When... when I saw you put your finger down there to turn on your light. I was watching you. But proceed, Mr. Black."

Black: "Thank you very much, Mr. Speaker. I'm not sure whether that makes me feel at ease or ill at ease to know you're

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watching me. But whatever. I... I have an inquiry of the Chair. And it's not timely now that the Bill is over. But I would love to hear at some point in the process the parliamentarian explain to me either the Constitutional Ruling or a precedent Rule of the House and Senate, where there has been a linkage of three Bills. I certainly haven't been here as long as you, but this is the first time I can ever recall that a Bill has been linked, the success or failure of a Bill, has been linked to the success and or failure of two other Bills. I... I can't begin to tell you why... I don't... I don't know even where to look in the Constitution. I'm sure it wouldn't be where I think it is. I'm not sure it's there at all. But perhaps past practice or Rules or precedent would say that it's possible. But just for my own edification I'd really like to know if the Constitution addresses linkage."

Speaker Madigan: "Mr. Black, can we ask the parliamentarian to visit with you when he returns to the chamber?"

Black: "Yes."

Speaker Madigan: "Very good. And now, Mr. Black, we'll move on to another matter where you will enjoy a victory."

Black: "Yes."

Speaker Madigan: "So, sit down, relax. Get ready for a victory, Mr. Black. Mr. Clerk, what is the status of Senate Bill 1754? 1754."

Clerk Rossi: "Senate Bill 1754 has been read a second time, previously. Floor Amendment #1 has been adopted to the Bill. No further Floor Amendments have been approved for



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consideration. A fiscal note and a state mandates note have been requested on the Bill. And those notes have not been filed."

Speaker Madigan: "Chair recognizes Mr. Smith."

Smith: "Thank you, Mr. Speaker. I would move to table Amendment #1 to Senate Bill 1754. I assume this is the victory you were talking about?"

Speaker Madigan: "For Mr. Black."

Smith: "For Mr. Bl... Black. Yes."

Speaker Madigan: "Right, right. Mr. Smith, moves to table the Amendment. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. The Motion is adopted. And the Amendment is tabled. Floor Amendment #1 is tabled. Now, Mr. Black, Mr. Black, in the spirit of your victory, are you prepared, Mr. Black, to withdraw your request for notes on the Bill?"

Black: "Mr. Speaker, since you are most magnanimous in giving me one of the few victories of the Session, yes, I would withdraw those note requests so that we could debate this Bill that may be contingent on a further debate of a Bill that we debated ten years ago..."

Speaker Madigan: "Yeah."

Black: "...that may have been contingent on a Bill of several years ago."

Speaker Madigan: "Right. The notes having been withdrawn, Mr. Clerk, put the Bill on the Order of Third Reading. Mr.

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Smith, do you wish to call the Bill now? Mr. Smith, or rather Mr. Clerk, read the Bill for a third time."

Clerk Rossi: "Senate Bill 1754, a Bill for an Act creating the Western Illinois Economic Development Authority. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Smith."

Smith: "Thank you, Mr. Speaker and Ladies and Gentlemen. This legislation would create a new economic development authority for Western Illinois encompassing a 13-county region. Now, this authority would promote economic development throughout those 13 counties. It is similar to other development finance authorities, five other regional economic development authorities in the State of Illinois. I think it would be an excellent opportunity for Western Illinois to have one more tool to help in economic development efforts. I know of no opposition at this time with the removal of Amendment #1. I'd be happy to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Black. Mr. Black."

Black: "Yes. Thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker Madigan: "State your inquiry."

Black: "The... the enabling legislation enables this development authority to issue bonds not to exceed \$250 million. My inquiry would be whether or not that would require an Extraordinary Majority to pass the underlying Bill?"

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Speaker Madigan: "Mr. Black, this is developing as a very good day for you because the parliamentarian is on the way to the podium."

Black: "He's on his way where?"

Speaker Madigan: "To the podium."

Black: "Oh, the podium."

Speaker Madigan: "To spend some time with you."

Black: "I thought you said Poland. I was gonna say why... why is he going there."

Speaker Madigan: "Well, he said he wanted to spend time with you."

Black: "Well, I would love to go with him if that's where he's headed."

Speaker Madigan: "Mr. Black. Mr. Black."

Black: "Yes, Sir."

Speaker Madigan: "We're gonna make you happy, again."

Black: "Thank you so much, Mr. Speaker."

Speaker Madigan: "In light of the seriousness with which we review your request, the parliamentarian has asked if we could take this out of the record to complete a thorough review to be able to respond to your request, Mr. Black."

Black: "Mr. Speaker, I'm... I'm overwhelmed. Two field goals in one quarter."

Speaker Madigan: "This is a good day. Let's keep it up."

Black: "It... it's just wonderful. Thank you."

Speaker Madigan: "So, this Bill shall be taken out of the record. Representative Pihos. Pihos on Senate 130. The Lady indicates she does not wish to call the Bill. Mr.

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Fritchey, Senate Bill 274, concerned with liens. Did you wish to call the Bill? Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 274, a Bill for an Act to amend to certain Acts in relation to liens. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Fritchey."

Fritchey: "Thank you, Speaker. Senate Bill 274 represents an agreement between the trial lawyers and the Medical Society and the hospital association regarding distribution of proceeds from a personal injury suit among various lienholders and attorneys. I request a favorable vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Miller."

Miller: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Miller: "I just want to get some understanding on it... as I asked when this Amendment was adopted, the genesis of this Bill."

Fritchey: "The... the genesis of the Bill came from a ruling in a Illinois Supreme Court case which had cast into some question the status of various medical liens. This is an attempt to codify an agreement between all the interested parties in these situations."

Miller: "Okay, interested parties. You're talking about the hospital association, clearly the physicians and clearly the lawyers? Or are the insurance industry included in this?"

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Fritchey: "Well, this issue would affect... this would affect the... the health care providers, the medical lienholders, the attorneys, as well as the plaintiff. It prevents... provides for a distribution formula that has been found to be acceptable by all the parties."

Miller: "Okay. And can you explain the... basically, the genesis? I heard you mention that this is an agreement, but I wanted you to hear the kind of good the... for the Members of the General Assembly here to understand what exactly this does."

Fritchey: "Well, what we're doing is trying to create a situation which will allow for a proportionate distribution among the affected lienholders. Conceptually, it was possible to have a situation prior to this that would result in a situation where a plaintiff could ostensibly recover nothing even if he or she prevailed in a personal injury lawsuit. By providing for a pool to be split up among the medical lienholders, there is a pool to be provided for the medical lienholders, a recovery pool for the attorneys, as well as a recovery amount for the plaintiff, as well."

Miller: "All right. Are there any limits on attorney liens? That... that's the current law, if I'm correct."

Fritchey: "That... that is... that is correct."

Miller: "And it's usually standard protocol for an attorney to be paid a third on any particular bill?"

Fritchey: "That... that actually varies, rates can vary anywhere from 25 up to 40 percent, depending on the nature of the

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agreement and how the case was settled or whether they came to a judgment or whether they came on an appeal."

Miller: "But you... but typically, in any... any settlement that it usually is a third of what the fee is?"

Fritchey: "In broad strokes, I would say that that's correct, but again, every agreement's specific to that case."

Miller: "Okay. As far as the... as far the health... the health care providers are concerned then that percentage is broken down by... by each... each of the providers get within that... that the total amount that's being offered?"

Fritchey: "Can you repeat the question?"

Miller: "Okay. If... my understanding is a third is to be paid by the lawyers... a third is to the person, the rest of the remaining 40 percent goes to the physical therapist, the dentists, the physician, to be broken up however which and ever way they wanna... broken it up."

Fritchey: "Or..."

Miller: "Or is it... or is even that broken up with the 20 percent from the... going to the hospital association? So therefore, the remaining 20 percent is... is going towards all the health care providers under that... under the particular categories?"

Fritchey: "Specifically, what the Bill provides is that in the event that there is... where the amount of all liens under the Health Care Act would meet or exceed 40 percent of the sum paid or due and owing that the liens, the total amount of liens, would not exceed 30 percent of that sum pay. And

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those would be then divided proportionately among those holders under the lien Act."

Miller: "Divided proportionately, that 20 percent would be divided proportionately under..."

Fritchey: "Thirty percent."

Miller: "No. I'm sorry, repeat yourself on that."

Fritchey: "Okay. Well, let me... I think the best thing to do is just to quote specifically the language. 'In the case of a claim, demand or a cause of action with respect to which the total amount of all liens under the Health Care Services Lien Act meets or exceeds 40 percent of the sum paid or due the injured person, the total amount of all liens under this Act shall not exceed 30 percent of the sum paid or due to the injured person.'"

Miller: "Okay, then what happens to... so, for instance of... a physician has a... or an opto... ophthalmologist has a bill outstanding for let's say \$10 thousand and how's that and a... dentist has a Bill for \$10 thousand, a settlement broken down is 40... or 20 thousand lia... liable for a broken... that part broken down. Then if another a physical therapist or some other health care provider has an additional, then what's remedy to the health care provider at that time, if any?"

Fritchey: "There... the remedies that are available to them vis-à-vis other lienholders are not impacted by the Amendment that's being made to the Act."

Miller: "How is that?"

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Fritchey: "This... this does not affect distribution within the health... within the health care provider portion of the Act. This simply refers to distribution among health care providers, attorneys and the plaintiff."

Miller: "But still the health care provider is limited to that particular percentage of whatever that... that entire... that... that percentage that you described earlier."

Fritchey: "Correct."

Miller: "So..."

Fritchey: "As... I didn't mean to interrupt."

Miller: "Go ahead."

Fritchey: "As... as is the... case today, you may have situations where the total amount of the liens in... in absolute dollars exceeds the proportional amount that they would be allowed to recover."

Miller: "Okay. In this... in this agreement, who gets paid first?"

Fritchey: "I don't think it's a prioritization as far as who gets paid first. It's what, how the pots are divided for payment. This doesn't set... this doesn't set a prioritization as far as a time limit. This simply says that certain amounts of money are going to be divided pro rata for these groups to seek recovery from."

Miller: "However, in... Last point. However, even though... even though a physician or any health care provider has a greater overhead, they're being limited on the amount of recover... recovery that they're able to receive under a settlement based on... based on what this Bill describes."



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Fritchey: "That is correct."

Miller: "To the Bill, Mr. Speaker."

Speaker Madigan: "Mr. Miller."

Miller: "Members of the General Assembly, you know, when we talk about health care delivery, I think this is exactly where we not need to go. And as a health care provider I... there may be a conflict of interest, but I wish just to share some light on what happens and particularly under this legislation. This is actually what we would deem in any other term an industry Bill of... for lawyers. And I know there are quite a few here and I know that the Sponsor, which I have tremendous respect for, and said this is an agreement. But as you learn quickly, there are different types of agreement. And we have to look at who is providing the service and when. You know, when you have an emergency situation, you know, there are health care providers who provide the service right then and there, without question, without hesitation. And unfortunately, when it gets down to being compensated, we tend to be last on the list. This legislation does indicate the fact that we become last on the list as health care providers. There's no guarantee, essentially, that we will get paid for these services. Typically, a physician or dentistry standard has 70 percent overhead before we take any dime of... of payment or any compensation back. Unfortunately, though, we are delivering... or fortunately, we are delivering the services as needed when... when they come up.

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I would ask the Members to look at this Bill very carefully. And I would asked for a 'no' vote."

Speaker Madigan: "Mr. Hultgren."

Hultgren: "Thank you, Mr. Speaker. To the Bill, real quickly. I... I just want to thank the Sponsor for the work that he's done on this. I know the Sponsor and the parties involved have spent a significant amount of time discussing this, trying to figure out if there could be some common ground in this area. And I just want to say thank you to him. I think it's been good work and I... I'm... do think this is a positive step and I'm going to be supporting this Bill and encourage my colleagues to support this Bill, as well."

Speaker Madigan: "Mr. Lang."

Lang: "Thank you, Mr. Speaker. I rise to support the Gentleman's Bill. For the freshman around here, you need to know that this issue in this area has been around here for debate for some years. It's been very contentious. I want to applaud all sides for getting together and finally getting this matter resolved. And, of course, Mr. Fritchey should be thanked for his efforts in this regard, as well. This is a reasonable approach to resolving a very thorny issue regarding these liens. And I would strongly urge your 'aye' votes."

Speaker Madigan: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

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Coulson: "Representative Fritchey, you are limiting the amount of any claims that health care providers can receive payment for services that were rendered? Is that true?"

Fritchey: "That is correct. Health care liens would be regulated the same way that attorneys' liens are regulated and a number of different liens are regulated."

Coulson: "And basically, if a hospital has huge expenses from a patient having been there and then a doctor also wants to get paid and then other providers, how does that work?"

Fritchey: "I'd say in the event that those costs exceeded the liens?"

Coulson: "In the event... you, as I read this, it says that 40 percent of any settlement would be for health care costs. Is that the accurate reading of that?"

Fritchey: "Yes."

Coulson: "And... and your... how... What is the amount that an attorney can get from settlement?"

Fritchey: "That... that's not set forth in this provision. Again, attorney... attorneys' liens tend to be covered by statute as they are here. But what we do is, again in the event af... after you've taken out the amount for health care liens, all attorneys shall share proportionate amounts within the statutory limitation. So, what you've done is set up a structure for each party. The concern that we had, Representative, the reality that existed out there was that absent something like this, you could have a situation where there would be no recovery to a plaintiff. And it... without recovery you also lose the incentive, obviously, to

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ever bring action in the first place. So, this really is as much about a public policy question as far as protecting plaintiff rights, as it is about trying to be an industry standard for the legal profession or the medical profession."

Coulson: "But as I read it, you're setting a limit on what a health care provider can be returned, but you are not setting a limit on the attorneys. Is that the way it reads?"

Fritchey: "Noth... nothing in this changes that... that provision. We are... we're trying to deal with what happens when you have health care liens that would exceed a recoverable percentage of the settlement or of the judgment."

Coulson: "Okay. One more time, I'm going to ask a similar question. But it does not set a limit on how much that attorney can collect?"

Fritchey: "It provides that all the attorneys shall share proportionate amounts within the statutory limitation."

Coulson: "Which is?"

Fritchey: "The statutory limitation un... under this, my understanding would be at 30 percent."

Coulson: "Well, my understanding is that when you have a contingency case as an attorney, you can get up to 50 percent or more. So, I guess, I'm questioning, since this Bill doesn't say what the attorneys are limited to, but it does state what the health care provider is limited to. I'm very concerned that the plaintiff is still not gonna be getting any money."

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Fritchey: "Well, candidly, I've never heard of a contingency agreement that would provide for 50 percent, let alone greater than 50 percent. But, what this does is set up pots with limitations for health care providers, hospitals and attorneys. So, when you do have a lien that's enforceable... you have a lien that's enforceable and you're gonna have a percentage of the recovery from which you can assert... against what you can assert your lien."

Coulson: "Okay. So, what is that pot for attorneys? That's what I'm trying to get at here."

Fritchey: "We... would have..."

Coulson: "Is there no limit on that pot..."

Fritchey: "It... it would..."

Coulson: "...in this Bill?"

Fritchey: "It... it would be at 30 percent and then you're gonna have 40 percent and in the event... here and again let me read what I previously read for the prior Representative. 'In... in the event that the total amount of health care liens meet or exceeds 40 percent, then the liens under the Act shall not exceed 30 percent.' What we're trying to do again is provide some type of cap and guarantee that there will be a... an amount leftover for the plaintiff in this action, for the injured party."

Coulson: "So... so, tell me... walk me through this again and I'm sorry. The plaintiff gets what percentage?"

Fritchey: "The plaintiff should be entitled to 30 percent."

Coulson: "Thirty percent."

Fritchey: "At a minimum."

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Coulson: "Okay. The..."

Fritchey: "Now... that's at a minimum, obviously if there were no other outstanding liens, that recovery could be greater. But what we're looking at is a situation in which the liens may potentially absorb the entire recovery."

Coulson: "The health care providers get 40 percent and then the attorneys get another... the rest of the 30 percent? Is that what this is? And... but then let's go back to that question about health care providers. When there's a hospital bill that is ex... ex... over what the amount of settlement is, do any of the other providers get paid at all?"

Fritchey: "Well, in... in that event, they could always seek to file a private action for recovery of their costs, outside of what they can recover under the lien."

Coulson: "So, the answer's 'no'?"

Fritchey: "To which part?"

Coulson: "The part about the ho... if the hospital's bill is larger, then the rest of the providers are not gonna get paid."

Fritchey: "If... if the hospital's bill is larger the hospital can seek remedies outside of their lien, to be made whole."

Coulson: "From whom?"

Fritchey: "A... against the party... against the party in debt to them, against the plaintiff in this case. It's just simply that it would not be recoverable from the lien pool for the... from the settlement of the judgment."

Coulson: "Okay. To the Bill. Ladies and Gentlemen, I understand what our Sponsor's trying to do here. I'm very

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concerned though, because most health care providers don't actually file a lien... if they believe that their patient or patients might be able to pay this. They file the liens in the cases where... there is... is a lawsuit and they probably will not get paid. In this situation, you're saying the speaker... the Sponsor's saying that, well, those health care providers who have outlaid a considerable amount of money in costs can go after that person to try to be paid back. Most of the time, rarely does that happen that you can go after a person who's had a lawsuit to try to be made whole. My concern is not that the people... I've... I believe... I agree with the Sponsor's intent to have the plaintiffs to be able to have some of the dollars that they so rightfully deserve. But I'm very concerned about the cost-shifting mechanism here, because remember, every health care dollar that is not paid by the person who receives the services is... the cost is shifted to other providers and other people who need the health care. We have a health care system in crisis. I am very concerned that this Bill, while it's well-intentioned, does not look at the ramifications of this cost shifting. And I would encourage a 'no' vote."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Has Mr. Miller voted? Has Mr. Miller voted? The Clerk shall take the record. On this question, there are 77 people voting 'yes', 34 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby

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declared passed. Mr. Clerk, what is the status of Senate Bill 212? Excuse me, Mr. Clerk, not that Bill. What is the status of Senate Bill 1638? 1638."

Clerk Rossi: "Senate Bill 1638, is on the Order of Senate Bills-Third Reading."

Speaker Madigan: "Read the Bill."

Clerk Rossi: "Senate Bill 1638, a Bill for an Act in relation to insurance. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Bradley."

Bradley: "Thank you, Mr. Speaker. 1638 currently cov... the Public Safety and Office Benefits Act currently covers only the families of firefighters, police officers and correctional or correctional probation officer who are killed or hurt in the line of duty. The Act provides the following benefits: free health insurance benefits to surviving spouses and dependant children up to the age of 25, health benefits payable from any other source shall reduce this benefits payable under this Act because the Act contains a state mandates Act exemption, the state is not required to reimburse Local Governments for there health insurance costs under this Act; a full state scholarship to surviving children under the age of 25. The scholarship shall cover up to a 120 credit hours at any state college or university, public community college or state vocational technical school. The Illinois Student Assistance Commission pays all scholarships even for the surviving children of the local government employees. Only children whose parents have been killed in the line of duty qualify



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for the scholarships. EMTs and paramedics are covered under the Act's provisions only if they are also firefighters. In every municipality in the state except Chicago, EMTs and paramedics double as firefighters and are therefore covered under the Act. Chicago is unique in that it employs approximately 800 EMTs and paramedics who are not firefighters and thus are excluded from the Act's coverage."

Speaker Madigan: "The Gentleman moves for the passage of Bill. The Chair recognizes Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor, whose name doesn't appear on the board, yield?"

Speaker Madigan: "Sponsor yields."

Black: "Thank you. Representative, does this apply to any EMT or paramedic who is so certified throughout the State of Illinois? The reason I ask, most of the EMTs and paramedics in my district are volunteers. They... they may get a small stipend for a call late at night, but they are strictly volunteers. But they take the training, they are certified. They may... they may or may not be a firefighter. In fact, in many rural communities you have an ambulance district and then you have a fire district. And... and sometimes they're on both, but many times they're not. So, my question just deals with what is... often the case in rural areas. If you are a registered EMT or licensed EMT or whatever the correct word would be, and/or a paramedic working for a volunteer ambulance district, would you, in fact, be covered under this law?"

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Bradley: "I believe you would, as far as my understanding of the law."

Black: "All right, because my... my initial reading of this was that it was to correct a situation in the City of Chicago where they have a number of EMTs and paramedics who are not... who have no standing as a Chicago firefighter."

Bradley: "That's correct."

Black: "All right. But as far as you know, and I'm... and I'm hanging my vote on your answer. As far as you know, this would... cover an EMT with the proper licensure and/or paramedic with the proper licensure who serves strictly as a volunteer. But those of you from Chicago when you come down here on I57 or I54, once you clear Cook and Will County, if you're involved, heaven forbid, if you're involved in a automobile accident, you're going to be probably served and treated by a volunteer ambulance district. And... with the exposure to blood borne pathogens and all the things that have happened in the last ten years, I think this is a reasonable benefit to EMTs and paramedics who are not firefighters but, in fact, are volunteers."

Bradley: "I agree with that interpretation, Representative Black."

Black: "All right, is... I... again I'm prepared... I will vote for the Bill based on... on what you told me because I think it's a matter of inherent fairness. Because these people, even though they're in rural areas, they do patrol a lot of our interstate highways, are subjected to... I'm not gonna say

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they're subjected to the same kinds of... of dangers or threats that one would be in the City of Chicago, obviously with... with the population density. But they are out there 24/7, winter, summer, and all kinds of accidents and injuries and what have you. And if it's available to them, then I think it's a... a good Bill and I intend to vote 'aye'. And I trust and I hope that you're right and it... and it in fact, is available to those EMTs and paramedics that work as volunteers for rural fire or ambulance protection districts. Thank you very much."

Bradley: "Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Mr. Black."

Black: "Mr. Speaker, before you take the record, could I impose on the Gentleman to take the Bill out so we can get staff together? Staff indicated the answer that he gave is not to their understanding."

Speaker Madigan: "Yeah, we can... Mr... The Bill should be taken out of the record."

Black: "Thank you very much, Mr. Speaker."

Speaker Madigan: "Mr. Clerk."

Clerk Rossi: "Representative Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on May 27, 2003, reported the same back with the following recommendation/s: 'to the floor for consideration' Floor Amendment #3 to Senate Bill 487, Floor Amendment #4 to Senate Bill 947; to the Order of

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Concurrence, Motions to Concur with Senate Amendment #1 to House Bill 2839, Senate Amendments 1 and 2 to House Bill 2864, Senate Amendment #1 to House Bill 3086, Senate Amendment #1 to House Bill 3142 and Senate Amendment #3 to House Bill 3528."

Speaker Madigan: "Mr. Clerk, what is the status of Senate Bill 24? 24."

Clerk Rossi: "Senate Bill 24 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Soto, has been approved for consideration."

Speaker Madigan: "Representative Soto."

Soto: "Thank you, Speaker and Members of the House. Amendment #1 amends Senate Bill 24 on page 3 by replacing line 13 with the following: 'Money and other similar consideration, including but not limited to checks, debit payments, money orders, drafts, credit payments, and traveler's checks' and makes other technical changes."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, what is the status of Senate Bill 487? 487."

Clerk Rossi: "Senate Bill 487 has been read a second time, previously. Committee Amendment... Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment

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#3, offered by Representative Saviano, has been approved for consideration."

Speaker Madigan: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #3 represents the correction that we had to make that we previously adopted on Floor Amendment #2. This offers a window which is supported by the Illinois Private Alarm Association. And I would ask the Floor Amendment #3 be adopted to Senate Bill 487."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Senate Bill 820. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 820, a Bill for an Act in relation to public employee benefits. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No further Floor Amendments approved for consideration."

Speaker Madigan: "Mr. Clerk, on Senate Bill 820, put that Bill on the Order of Third Reading. Mr. Clerk, what is the status of Senate Bill 947?"

Clerk Rossi: "Senate Bill 947 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by

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Representative Osterman, has been approved for consideration."

Speaker Madigan: "Mr. Osterman."

Osterman: "Mr. Speaker, I'd like to leave that on Second Reading. There's a Floor... there's Floor Amendment #4 that we're waiting to come out of the Rules Committee. I'd like to take that out of the record."

Speaker Madigan: "Mr. Clerk, do you know the status of Floor Amendment #4?"

Clerk Rossi: "Floor Amendments 2, 3 and 4 have been approved for consideration."

Osterman: "Okay. Floor Amendment #4, then..."

Speaker Madigan: "Well, Mr. Osterman, just a second. Mr. Clerk, what is the... How many Amendments are pending?"

Clerk Rossi: "Three Amendments are pending. Floor Amendment #2 is before the Body right now."

Speaker Madigan: "Mr. Osterman on Amendment #2. Mr. Osterman, we have to dispose of 2 before we can go to 3 and 4."

Osterman: "Okay."

Speaker Madigan: "So, do you wish not to offer 2?"

Osterman: "No, I do. I'll..."

Speaker Madigan: "Okay. Mr. Osterman on Amendment #2."

Osterman: "Thank you, Mr. Speaker and Ladies and..."

Speaker Madigan: "And Mr. Novak in the Chair."

Osterman: "...Ladies and Gentlemen of the House. Senate Amendment... House Amendment #2 to Senate Bill 947 deals with the closing the gun show loophole. And what it does is set up a new system by which the State Police will conduct

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background checks on individuals that are being... purchasing firearms from those that are... purchasing firearms from nonlicensed dealers. It also would require that State Police would establish a system by which to conduct those background checks. I'd open up for any questions."

Speaker Novak: "Is there any further discussion? Seeing none, the Representative Osterman now moves that Floor Amendment #2 be adopted. All those in favor say 'aye'; opposed say 'no'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "Floor Amendment #3, offered by Representative Osterman."

Osterman: "I'd like to table..."

Speaker Novak: "What is your..."

Osterman: "I'd like to table Amendment #3."

Speaker Novak: "You just withdraw. Mr. Clerk, withdraw Amendment #3. Any further Amendments?"

Clerk Bolin: "Floor Amendment #4, offered by Representative Osterman."

Speaker Novak: "Mr. Osterman."

Osterman: "Floor Amendment #4 makes a technical change to the Bill which allows a maximum of a \$2 fee for individuals that are... to be charged against individuals that are doing a background check with the State Police on non-FFL firearm purchases. It also strikes the language from the Bill that would have conflicted with the Federal Law dealing with that Bill."

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Speaker Novak: "Is there any discussion? Seeing none, Mr. Osterman moves to... 'Shall Floor Amendment #4 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. The 'ayes' have it. Floor Amendment #4 is adopted. Any further Amendments? Mr. Clerk."

Clerk Bolin: "No further Amendments. A..."

Speaker Novak: "Third Reading."

Clerk Bolin: "A fiscal note and a state mandates note have requested on the Bill as amended by #4 and the mandates note has not been filed."

Speaker Novak: "Mr. Clerk, the Bill remains on Second. Senate Bill 1038. The Lady from Cook, Representative Howard. Mr. Clerk. Representative Howard, Senate Bill 1038. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1038, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Howard, has been approved for consideration."

Speaker Novak: "Floor Amendment #1, Representative Howard."

Howard: "Yes. Floor Amendment #1 to Senate Bill 1038 changes the manner in which the school districts must apply for... or file claims for reimbursement of state aid."

Speaker Novak: "Is there any discussion? Seeing none, Representative Howard moves, 'Shall Floor Amendment #1 pass?' All those in favor say 'aye'; all those opposed vote 'no'... say 'no'. The 'ayes' have it. And Floor Amendment #1 is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."



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Speaker Novak: "Third Reading. Senate Bill 1127. The Gentleman from Lake, Mr. Mathias. Senate Bill 1127, Mr. Mathias. Mr. Clerk, what is the status of Senate Bill 1127?"

Clerk Bolin: "Senate Bill 1127, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Mathias, has been approved for consideration."

Speaker Novak: "Mr. Mathias. Mr. Clerk, take it out of the record. Senate Bill 1493. The Gentleman from Cook, Mr. Lang. Mr. Lang, Senate Bill 1493. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1493, the Bill's been read a second time, previously. Amendment #1 has been adopted to the Bill. Floor Amendment #3, offered by Representative Lang, has been approved for consideration."

Speaker Novak: "Mr. Lang on Floor Amendment #3."

Lang: "Thank you. This is a technical Amendment offered by the State Fire Marshal. As far as I know, it's agreed by all parties. I would move adoption."

Speaker Novak: "Is there any discussion? Seeing none, Mr. Lang moves, 'Shall Floor Amendment #3 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. The 'ayes' have it. And Floor Amendment #3 is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Novak: "Third Reading. Senate Bill 1980. Representative Hannig. Mr. Clerk, read the Bill, please."

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Clerk Bolin: "Senate Bill 1980, a Bill for an Act in relation to higher education. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Novak: "Third Reading. Senate Bill 212. The Gentleman from St. Clair, Mr. Holbrook. Mr. Holbrook, Senate Bill 212. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 212, a Bill for an Act concerning civil procedures. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Granberg, has been approved for consideration."

Speaker Novak: "Mr... Mr. Holbrook on Floor Amendment #2."

Holbrook: "Floor Amendment #2 is Representative Granberg's Amendment that adds one county to the development agency. Supposedly, the folks out there wanna join this fine organization. And know of no opposition to his Amendment."

Speaker Novak: "Is there any discussion? Seeing none, Mr. Holbrook moves, 'Shall Floor Amendment #2 pass?' All those in favor say 'aye'; all those opposed say 'no'. The 'ayes' have it. Floor Amendment #2 is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Novak: "Third Reading. Senate Bill 1336. The Gentleman from Cook, Mr. Acevedo. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1336, a Bill for an Act concerning public construction. Second Reading of this Senate Bill."

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No Committee Amendments. Floor Amendment #1, offered by Representative Acevedo, has been approved for consideration."

Speaker Novak: "Mr. Acevedo on Floor Amendment #1."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I ask for adoption of Amendment #1. It's a technical change that changes the word on line 15 from 'A' to 'in the case of state construction contracts'. I'd be happy to answer any questions."

Speaker Novak: "Is there any discussion? Seeing none, Mr. Acevedo moves, 'Shall Floor Amendment #1 be adopted?' All those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. And Floor Amendment #1 is adopted. Any further Amendments, Mr. Clerk?"

Clerk Bolin: "No further Amendments."

Speaker Novak: "Third Reading. Ladies and Gentlemen, on page 21 of the Calendar are the Orders of Concurrence, we're going to go to concurrences. When your Bill is called, make sure that you explain the Amendment that was added in the other chamber and then move for concurrence. Everyone have those instructions? On the Order of Concurrences, there is House Bill 16. The Gentleman from Cook, Mr. Lang. Mr. Clerk, read the Bill, please. House Bill 16. Mr. Lang. Mr. Lang."

Lang: "One moment, Mr. Speaker. You caught me by surprise, which is hard to do."

Speaker Novak: "That's difficult."

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Lang: "Thank you, Mr. Speaker. I move to concur in Senate Amendment #1. All the Senate did was add the words 'willful and wanton misconduct' in several places in the Bill. I move concurrence."

Speaker Novak: "Is there any questions? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 16?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Fritchey. Ms. Flowers. Verschoore. Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 0 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, House Bill 16 is hereby declared passed. On the Order of Concurrence, there is House Bill 43. The Gentleman from Cook, Mr. Burke. Mr. Burke on Senate Amendments, House Bill 43."

Burke: "Thank you, Mr. Speaker. I had filed a Motion to Nonconcur with the Senate Amendments."

Speaker Novak: "Oh, I'm... excuse me. On a Motion to Nonconcur on Senate Amendments 2 and 3, Mr... Mr. Burke."

Burke: "Thank you, Mr. Speaker. On the nonconcur Motion, the Senate acted, in my estimate, in a very ina..."

Speaker Novak: "Okay. All right. There's a Motion to Nonconcur on the Senate Amendments to House Bill 43. And Mr. Burke moves to nonconcur on Senate Amendments 1 and 2 to House Bill 43. All those in favor say 'aye'; all those opposed say 'no'. The 'ayes' have it. And the House has

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nonconcurrent in Senate Amendments to House Bill 43. House Bill 44. The Gentleman from Cook, Mr. Lyons on a concurrence. Senate Amendment #1, Mr. Lyons."

Lyons, J.: "Speaker, I move to concur with Sena... House Bill... Senate Amendment #1 to House Bill 44. This was the issue that I brought up in committee that I was gonna work with the industry on language regarding the... addressing the issue of attempting to give a customer an idea on what kind of rates were gonna be charged when they come to rent a car. So, I have agreed to working with the industry through this committee. I move to concur. And basically, it's just adds a sentence that the customer will be brought to their attention on an approximate..."

Speaker Novak: "Mr... Mr. Burke. Excuse me..."

Lyons, J.: "...good faith..."

Speaker Novak: "...Mr. Lyons. I'm sorry. The Motion has not have been... has not been approved by the Rules Committee yet. I'm sorry."

Lyons, J.: "All right."

Speaker Novak: "Take it out of the record."

Lyons, J.: "We'll try it again."

Speaker Novak: "We will, shortly."

Lyons, J.: "You'll get back to me, Speaker, won't you?"

Speaker Novak: "Yes, we will."

Lyons, J.: "We'll do this again?"

Speaker Novak: "Yes, we will."

Lyons, J.: "Thank you, Speaker Novak."

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Speaker Novak: "Thank you. On the Order of Concurrences, House Bill 81. The Lady from Cook, Representative Flowers. Senate Amendment #1, Motion to Concur, Representative Flowers."

Flowers: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1 to House Bill 81. And basically, the Amendment merely says clear information about the description of what patients can or cannot do with their insurance companies. And I'll be more than happy to answer any questions you have in regards to the Bill."

Speaker Novak: "Is there any discussion? The Gentleman from Cook, Mr. Parke."

Parke: "Thank you, Mr. Speaker. I'm not sure... Can the... will the Sponsor yield?"

Speaker Novak: "Sponsor yield."

Parke: "Yeah. Representative, I'm not sure I understood. What does this Amendment do?"

Flowers: "It put three words in front of... I'll tell ya one minute. And the three words are 'clear information about'. Okay. On line... on page 3, line 20. Representative, it says that the health plans must give clear information about their rights as what the a... what the people are entitled to in their insurance policies."

Speaker Novak: "Mr. Parke."

Parke: "Thank you very much."

Speaker Novak: "Any further questions? Any further discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments #1 to House Bill 81?' All those in favor

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vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Black. Currie. Mr. Clerk, take the record. On this question, there are 113 'yes', 1 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, House Bill 81 is hereby declared passed. The Gentleman from Cook, Mr. Lang on House Bill 88."

Lang: "Thank you, Mr. Speaker. I move that the House do concur in Senate Amendment #1 to House Bill 88. These are mostly cosmetic changes and I don't think there's any opposition."

Speaker Novak: "Mr. Lang, our... the Clerk informs me that it should be Senate Amendment #2."

Lang: "That's fine, Mr. Speaker. Thanks for the correction."

Speaker Novak: "You're welcome. Is there any discussion? Seeing none, Mr. Lang now moves that the House shall concur in Senate Amendment #2 to House Bill 88. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Bradley. Mr. Froehlich. Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 0 voting 'no', 0 voting 'present'. Having reached the required Constitutional Majority, House Bill 88 is hereby declared passed. Mr. Biggins, for what reason do you rise, Sir?"

Biggins: "Thank you, Mr. Speaker. I have a question of the Chair."

Speaker Novak: "State your inquiry, Sir."

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Biggins: "Well, I have this fine House Calendar, Supplemental Calendar #1 distributed to me just a few moments ago. It lists a number of fine Bills on Second Reading. I hope to vote for most if not all of them sometime today. But I wonder when we're gonna get the list with the Republican Bills on it?"

Speaker Novak: "I..."

Biggins: "The ones sponsored by Republicans. I had just..."

Speaker Novak: "I haven't..."

Biggins: "This list is..."

Speaker Novak: "I haven't..."

Biggins: "...kind of one-sided."

Speaker Novak: "I haven't seen that list yet. I'm sure we'll get to 'em shortly."

Biggins: "Please share it with me. Thank you."

Speaker Novak: "Thank you, Mr. Biggins. On the Order of Concurrences, House Bill 120. The Gentleman from Fulton, Mr. Smith on Senate Amendment #1."

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. I move to concur with Senate Amendment #1. This simply clarified what municipalities could charge for emergency medical services in areas outside their corporate limits. The original Bill had to do with allowing them to charge for fire protection services and the Senate felt it necessary to clarify that this legislation would not affect their ability to charge for emergency medical services."

Speaker Novak: "Thank you, Mr. Smith. Is there any discussion? Seeing none, Mr. Smith now moves that the House shall



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concur in Senate Amendment #1 to House Bill 120. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Leitch. Mr. Clerk, take the record. On this question, there are 92 voting 'yes', 22 voting 'no', 1 voting 'present'. And having reached the required Constitutional Majority, House Bill 120 is hereby declared passed. House Bill 176. The Lady from DuPage, Representative Bellock. Representative Patti Bellock. Out of the record, Mr. Clerk. The Gentleman from Cook, Mr. Saviano on House Bill 184."

Saviano: "Thank you, Mr. Speaker, Members of the House. Senate Amendment #1 simply reinserted the civil penalties aspect of the Bill. And I would concur in Senate Amendment #1 to House Bill 184."

Speaker Novak: "Is there any discussion? Seeing none, Representative Saviano now moves that the House concur in Senate Amendments #1 to House Bill 184. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', 0 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, House Bill 184 is hereby declared passed. On the Order of Concurrences, House Bill 211. Out of the record. The Gentleman from Lake, Mr. Beaubien on House Bill 218. On a Motion to Concur, Mr. Beaubien."

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Beaubien: "Thank you, Mr. Speaker. This is exactly the same Bill that we passed last week. It's the seatbelt Bill that we discussed on many occasion. The only difference between this Bill and the Bill that we passed last week is that it has immediate effective date which will bring approximately 31 or 35 million dollars into the Road Fund this year in federal incentive grants for those states that pass seatbelt laws. So, it's the same Bill except we get about 31 to 35 million dollars more money. And I urge its adoption for concur..."

Speaker Novak: "Is there any... is there... On this question, the Gentleman from Vermilion, Mr. Black. Mr. Black is not there. Is there any discussion? Seeing none, Mr. Beaubien now moves that the House concur in Senate Amendment #1 to House Bill 218. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Bradley. Mr. Brauer. Mr. Clerk, take the record. On this question, there are 8... 79 voting 'yes', 35 voting 'no', 1 voting 'present'. And having reached the required Constitutional Majority, House Bill 218 is hereby declared passed. On the Order of Concurrences, the Lady from Cook, Representative Davis, Monique Davis, on House Bill 223 on a Motion to Concur. Representative Davis."

Davis, M.: "Yes, we move to concur. This merely makes the Bill mirror the Senate Bill that we passed out of here, Senate Bill 15."

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Speaker Novak: "Representative Davis, can you explain the Amendment, please."

Davis, M.: "What it does is allows any interrogation in a police station to be videotaped or... or it could be audiotaped by a police official for homicide cases."

Speaker Novak: "Thank you. Is there any discussion? On that question, the Gentleman from DuPage, Mr. Millner."

Millner: "Would the speaker yield?"

Speaker Novak: "Sponsor'll yield."

Millner: "Sponsor. Is this the same Bill that we talked about last time with the...?"

Davis, M.: "Yes, it is, Representative Millner."

Millner: "It's the identical language, right?"

Davis, M.: "That is correct."

Millner: "Thank you very much."

Davis, M.: "You're welcome."

Speaker Novak: "Is there any further discussion? Seeing none, Ms. Davis now moves that the House shall concur in Senate Amendments #1 to House Bill 223. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Holbrook. Mr. Hannig. Take the record. On this question, there are 107 voting 'yes', 7 voting 'no', 1 voting 'present'. And having reached the required Constitutional Majority, House Bill 223 is hereby declared passed. The Gentleman from Cook, Mr. Fritchey on a concurrence Motion on House Bill 259. A Motion to Concur on House Bill 259, Mr. Fritchey. Out of

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the record. The Lady from Cook, Representative Kelly on a Motion to Concur on House Bill 312. Representative Kelly."

Kelly: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1 on House Bill 312. The Amendment just cleans up the language by deleting 'by purchasing a firearm with intent to deliver the firearm in violation of subsection (b) or by purchasing a firearm in violation of subsection (c)'. It's the same exact Bill we passed out last week as Senate Bill 382."

Speaker Novak: "Thank you, Representative. Is there any discussion? Seeing none, Representative Kelly now moves that the House concur in Senate Amendment #1 to House Bill 312. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Saviano. Flowers. And Representative Lindner. Mr. Clerk, take the record. On this question, there are 107 voting 'yes', 6 voting 'no', 2 voting 'present'. And having reached the required Constitutional Majority, House Bill 312 is hereby declared passed. On a concurrence Motion, the Gentleman from Cook, Representative Fritchey on House Bill 259. Mr. Fritchey."

Fritchey: "Thank you, Speakers, Member of the Body. Senate Amendment 1 to House Bill 259 makes a technical correction which has no objections. I think it makes a good Bill even better. I request a favorable vote. Thank you."

Speaker Novak: "Is there any discussion? Seeing none, Mr. Fritchey now moves, 'Shall the House concur in Senate

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Amendment #1 to House Bill 259?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Leitch. Mr. McGuire. Mr. Mitchell, Jerry. Mr. Clerk, take the record. On this question, there are 115 voting 'yes', 0 voting 'no', 0 voting 'present'. Having reached the required Constitutional Majority, House Bill 259 is hereby declared passed. On a Motion to Concur on House Bill 318, the Lady from Cook, Representative Yarbrough. On a concurrence... oh, excuse me."

Yarbrough: "That's nonconcurrence."

Speaker Novak: "The Chair stands corrected. On a Motion to Nonconcur, Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker. I move to nonconcur with Senate Amendment #1 to House Bill 318."

Speaker Novak: "On a nonconcurrence Motion, the Lady moves to nonconcur on Senate Amendment... to Senate Amendments #1 on House Bill 318. And on that question, Mr. Franks."

Franks: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Novak: "Sponsor will yield."

Franks: "Representative, can you tell us why you're moving to nonconcur? I can't tell through the analysis it just makes... it just gives us some... a couple of words and I don't understand what they're saying."

Yarbrough: "Thank you. The Senate Amendment changes the elements of the offense. And all the work that we did in the House for the retail merchants, they've just kind of

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made this Bill something that it's not supposed to be. So, I want to recede from this Amendment."

Franks: "When you say, it's making it something it's not supposed to be. Is it not stringent enough? Is it not keeping tobacco..."

Yarbrough: "That's correct."

Franks: "...away from minors?"

Yarbrough: "That's correct."

Franks: "What specific changes did it make?"

Yarbrough: "The definition they... they changed the definition of 'age restricted area' and there was another definition that they... they changed. So, I'm gonna be asking..."

Franks: "So, would it basically..."

Yarbrough: "...for a Conference Committee."

Franks: "Okay. Would it gut the Bill if we accepted their changes? It wouldn't protect kids from buying..."

Yarbrough: "Absolutely."

Franks: "Okay. Thank you."

Yarbrough: "Thank you."

Speaker Novak: "Is there any further discussion? Representative Yarbrough, the Chair's been advised we're just on the Order of Concurrences, so we need to take this Bill out of the record. We'll get to the nonconcurrences, shortly. Thank you. Mr. Clerk, take this Bill out of the record. Okay. On the Order of Concurrences, the Lady from Cook, Representative Coulson on House Bill 414. Representative Coulson on a Motion to Concur."

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Coulson: "Thank you, Mr. Speaker. I move to concur on Senate Amendment 1 to House Bill 414. A Senate Amendment 1 essentially takes us back to where we were at the beginning and setting in law a 30 percent delay for early intervention. It also adds a extension to the advisory committee from two years which would end this year to a four-year period, so that we can continue to look at the early intervention issue. I move to concur."

Speaker Novak: "Thank you. Is there any discussion? Seeing none, Representative Coulson moves to concur in Senate Amendments #1 to House Bill 414. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Phelps. Mr. Clerk, take the record. On this question, there are 115 voting 'yes', 0 voting 'no', 0 voting 'present'. Having reached the required Constitutional Majority, House Bill 414 is hereby declared passed. On a concurrence Motion, the Lady from Cook, Representative Yarbrough on House Bill 467. Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker. I'd like to concur with Senate Amendment to House Bill 467. And what the Amendment does is clarifies the definition of the term 'person operating a terminal', which means the person who has control over and is responsible for a terminal, not the person who owns or controls the property where the terminal is located."

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Speaker Novak: "Is there any discussion? Seeing none, Representative Yarbrough now moves that the House concur in Senate Amendments #1 to House Bill 467. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Fritchey. Ms. Flowers. Mr. Beaubien. Flowers. Mr. Clerk, take the record. On this question, there are 100 voting 'yes'... Correction. On this question, there are 98 voting 'yes', 14 voting 'no', 3 voting 'present'. And having reached the required Constitutional Majority, House Bill 467 is hereby declared passed. On a concurrence... Motion to Concur, the Lady from Lake, Representative Ryg on House Bill 527. Representative Ryg."

Ryg: "Thank you, Mr. Speaker. I would move that the House concur with Senate Amendment #1 to House Bill 527. It simply provides that the county board must have the approval of the county treasurer in making certain expenditures from the Tax Sale Automation Fund."

Speaker Novak: "Is there any discussion? Seeing none, Representative Ryg now moves that the House concur in Senate Amendments #1 to House Bill 527. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Wyvetter Younge. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 0 voting 'no', 1 voting 'present'. Having reached the required Constitutional Majority, House Bill 527 is hereby



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declared passed. For what reason do you rise, Mr. Mautino?"

Mautino: "Thank you, Speaker. I'd just like to correct the record on the previous Bill, concurrence Motion on 218. I'd like the record to show I wish to vote 'no'."

Speaker Novak: "The record will reflect that. Thank you. On a concurrence Motion, the Gentleman from Cook, Mr. Acevedo on House Bill 538. Mr. Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. A Motion to Concur with Senate Amendment #1 to House Bill 538. The Senate Amendment deletes the reference to the Capital Crime Litigation sunset provision because the death penalty that's moving through the Legislature gets rid of the sunset provision of the Capital Crime Litigation Act. Be happy to answer any questions."

Speaker Novak: "Is there any discussion? Seeing none, Mr. Acevedo moves that the House concur in Senate Amendments #1 to House Bill 538. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 1 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, House Bill 538 is hereby declared passed. On page 27 of the Calendar on a Motion to Concur, the Gentleman from White, Mr. Phelps on House Bill 1096. Mr. Phelps."

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Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1096 has two Amendments to... House Amendment #1 is my Bill. House Bill 1094 about the hunting preserves that Representative Davis made famous as singing the Hunting Man. And House Amendment... Senate Amendment #2 was the language that DNR wanted to adopt. So, I move to concur House Bill 1096."

Speaker Novak: "Thank you for that very brief explanation. Representative Phelps... Is there any discussion? Seeing none, Mr. Phelps now moves that the House concur in Senate Amendments #1 and 2 to House Bill 1096. The question is, 'Shall House... as amended 1096 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Wyvetter Younge. Mr. Clerk, take the record. On this question, there are 98 voting 'yes', 15 voting 'no', 2 voting 'present'. And having reached the required Constitutional Majority, House Bill 1096 is hereby declared passed. On page 28 of the Calendar on a concurrence Motion, the Gentleman from Cook, Mr. Fritchey on House Bill 1382. Out of the record, Mr. Clerk. On a concurrence Motion, the Gentleman from Knox, Mr. Moffitt on House Bill 1385. Mr. Moffitt. Mr. Moffitt."

Moffitt: "House Bill 1385, I move to concur with the Senate Amendment. When this passed the House, it had... we were raising the value that would require a referendum if the value of the property which is gonna be leased or sold was 5 thousand, the Senate is lowering that to 25 hundred. So,

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it's making it more restrictive than what the House version that passed."

Speaker Novak: "Is there any discussion? Seeing none, Mr. Moffitt now moves that the House adopt Senate Amendments #1 to House Bill 1385. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Hultgren. Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 1 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, House Bill 1385 is hereby declared passed. House does concur in Senate Amendments #1 to House Bill 1385. On page 28 of the Calendar, the Lady from Champaign, on a Motion to Concur, Representative Jakobsson on Sen... House Bill 1530. Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. I ask the House to vote to concur with Amendment to House Bill. It simply inserts 'liquid' after 'containing' and it does that in a couple of places, line... page 2, line 9 and page 2, line 10 it inserts 'liquid' after 'containing' and after 'wherein'. And then it also, on page 3, inserts... 'fluorescent light bulb' after 'battery'. Please concur."

Speaker Novak: "Thank you. Is there any discussion? On that question, the Gentleman from Vermilion, Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Novak: "Sponsor'll yield."

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Black: "So, Representative, what in effect the Senate Amendment did was to add some things that I... I certainly didn't think of during our original debate on the Bill. So, there are mercury batteries that I had overlooked, so that those can still be sell... sold and there evidently is some mercury in fluorescent lighting fixtures that I didn't know about, but they can still be sold. Correct?"

Jakobsson: "Can you wait just a moment, please?"

Black: "Sure."

Speaker Novak: "Ms. Jakobsson, we're gonna take this Bill out of the record for a minute or two."

Jakobsson: "Thank you."

Speaker Novak: "Mr. Clerk, take this out of the record. Let's go back to Mr. Fritchey on House Bill 1382 on a Motion... on a Motion to Concur. Mr. Fritchey."

Fritchey: "Thank you, Speaker, Members of the Body. Senate Amendments 2 and 4 reflect some agreements that we had made when this Bill came out of the House with some of the proponents of this measure. It actually cleans up the Bill and furthers the intents of the Bill. And I'd request a favorable vote."

Speaker Novak: "Is there any discussion? Seeing none, Mr. Fritchey now... Mr. Black."

Black: "Mr. Speaker."

Speaker Novak: "Yes, Sir."

Black: "You're moving very quickly on these Motions to Concur. These can be very complicated."

Speaker Novak: "I understand that."

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Black: "All right. Thank you."

Speaker Novak: "I'm always anticipating your name. Mr. Black."

Black: "Thank you. Remember, I'm 2 and 0 today, all right.

Will the Sponsor yield?"

Speaker Novak: "Sponsor'll yield."

Black: "Representative, the Senate Amendment... You and I... I had a very similar Bill and I know you and I discussed it and Representative McAuliffe had a constituent come down and testify on that Bill. Does the Senate Amendment and forgive me, I'm having trouble focusing on what the... what that Am... we tried to add an Amendment in the House, it didn't work. But basically, for a noncustodial parent who did not marry the custodial parent, but has faithfully executed all orders of child support and what have you, will he then have standing to go to court or could be she, will the noncustodial parent then have so... now have standing to go to court when the custodial parent says, hey, I'm moving to California and that's just the way it is."

Fritchey: "What Senate Amendment 4 does is actually clarify the intent of this by providing a list of factors that the court can consider when deciding to enjoin the removal. All those factors include the extent of involvement with the child or the person seeking to enjoin the removal, the likelihood that parentage would be established if there was a question of the parentage and the impact on the child. So, what we've tried to do is flush this out. So, does it address every bad situation that could arise?"

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Black: "No."

Fritchey: "Probably not. I know, I had talked with you about the situation in your district. I had had discussions with Represen... Representative McAuliffe's constituent via e-mail and via phone and I know he had been following this matter. And while I'm not gonna presume to speak for him, by any means, I will say that I have not heard from him one way or the other since these Amendments were put on. As you know, he took the time to come down here..."

Black: "Right."

Fritchey: "...and to testify. I would assume, reluctantly, that if he still had concerns, he would have voiced those to one of us."

Black: "All right. So, in summation, it's fair to say for a nondustodial parent who is... who was... is not or was never married to the custodial parent, at least this ge... but has accepted parentage, signed the registry and is making all, any and all court appointed payments. At least it gives the noncustodial parent a, I won't say the same right, but a similar standing to go to court and question the removal of the child or children, as the case may be, to another state if there's no apparent reason for the move."

Fritchey: "I think, what you get which is what we've all been seeking to provide is that the noncustodial parent would get their day in court."

Black: "Okay. Thank you very much. I appreciate your help on this issue. I know Mr. McAuliffe's constituent does and I know the constituent in my district, I think, will be at

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least satisfied with the progress that you've helped us make. And I appreciate that."

Fritchey: "Thank you."

Speaker Novak: "Any further discussion? Seeing none, Mr. Fritchey now moves that the House concur in Senate Amendments 2 and 4 to House Bill 1382. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur in Senate Amendments 2 and 4 to House Bill 1382 and is hereby declared passed. Representative Jakobsson on House Bill 1530. Are you ready? Out of the record, Mr. Clerk. On a Motion to Concur, the Lady from Cook, Representative Soto on House Bill 1632 on a concurrence Motion. Motion to Concur, Representative Soto on House Bill 1632."

Soto: "Thank you, Speaker."

Speaker Novak: "Representative Soto."

Soto: "Thank you, Speaker and Members of the House. House Bill 1632, the Bill amends the Consumer Fraud and Deceptive Business Practice Act."

Speaker Novak: "Representative Soto, just explain the Amendment..."

Soto: "Oh, okay."

Speaker Novak: "...to the Bill."

Soto: "Thank you."

Speaker Novak: "Okay. Thank you."

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Soto: "Amendment #3 makes it a violation to the Consumer Fraud Act to offer free goods or services to the Illinois consumer on a trial basis at the end of which a fee is charged unless a telemarketer sent an invoice to the consumer which contains a telephone number, an address to the consumer, may use to cancel the goods at the end of the trial period."

Speaker Novak: "Is there any discussion? On that question, Mr. Black, the Gentleman from Vermilion."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Novak: "The Sponsor'll yield."

Black: "Representative, what will constitute an offer from a telemarketer, an actual physical product or something you can access by sending in a check? Like, is it only involve like a clock radio or could it involve somebody calling you and say, congratulations, you've won a free trip to Bermuda?"

Soto: "Representative Black, sometimes it's a subscription to a magazine and if you don't send something back saying that you want to cancel and lot of the times..."

Black: "Oh, okay. Yes."

Soto: "None of the times a senior citizens are the ones who forget and this is who they're taking advantage of."

Black: "All right. Now, I'm glad you said that, 'cause now I remember the debate on the original Bill. This is where they give ya..."

Soto: "Yes and you supported the last one."



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Black: "It's aimed at those people who say, you've won a complimentary subscription to Sports Illustrated for three months and then if you don't send back the card, suddenly you have this subscription for the rest of your life."

Soto: "Correct."

Black: "Okay, great. Thank you very much."

Speaker Novak: "Is there any further discussion? Seeing none, Representative Soto now moves that the House concur in Senate Amendments #3 to House Bill 1632. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendments #3 to House Bill 1632 is hereby declared passed. On a Motion to Concur, the Gentleman from Kane, Representative Schmitz on House Bill 2493. Mr. Schmitz. Mr. Schmitz."

Schmitz: "Thank you, Mr. Speaker. How are you doin'?"

Speaker Novak: "Fine. How are you?"

Schmitz: "Fine. I'm just waiting for the computer to load it up, here. 2493 dealt with the Public Construction Act. Constitutes the waiver of the right to sue, by signing the waiver, the mechanics lien, you do not lose your right to sue. We passed it out of the... out of here over to the Senate on an Agreed List and it came back to the Senate just clarifying a couple of words in the phrases or in the

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Bill as a technical Amendment. And I would move that we would concur."

Speaker Novak: "Is there any discussion? Seeing none, Mr. Schmitz now moves that the House concur in Senate Amendments #1 to House Bill 2493. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Eddy. Take the record. On this question, there are 116 voting 'yes', 0 voting 'no', 1 voting 'present'. And the House does concur in Senate Amendments #1 to House Bill 2493 and is hereby declared passed. On a concurrence Motion, the Lady from Cook, Representative Currie on House Bill 2545. Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is the Bill that would encourage counties to find alternate ways of dealing with delinquent youth than sending them to state facilities. The Senate made just a couple of changes adding a state's attorney to the group that will organize the program and as well, specifying that people committing certain kinds of crimes would not be eligible for this alternate deployment. I know of no opposition. I'd appreciate your support for the concurrence Motion."

Speaker Novak: "Thank you. Is there any discussion? Seeing none, Representative Currie now moves that the House concur in Senate Amendment #1 to House Bill 2545. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendments #1 to House Bill 2545 and is hereby declared passed. On a Motion to Concur, the Gentleman from Crawford, Mr. Eddy on House Bill #2797. Representative Eddy."

Eddy: "Thank you very much, Mr. Speaker. I move to concur with Senate Amendments 1 and 3 of House Bill 2797. These Amendments simply repeat the original language, but add a provision that while schools are making an attempt to hire a speech language pathologist that they may go ahead and add... enter into contractual services during the time they are attempting to hire. Senate Amendment #3 makes a technical change and removes the word 'daily' from the newspaper listing for those areas that have weekly newspapers. I ask for concurrence with both Amendments."

Speaker Novak: "And on that Motion, the Gentleman from Vermilion, Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Novak: "Sponsor will yield."

Black: "Representative, if we're removing the word 'daily' from the newspaper, how is that spelled? The word 'daily'?"

Eddy: "In the..."

Black: "I'm not gettin' on the wrong side of one of those 'dailies', so how do you spell it?"

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Eddy: "Are you... are you wanting the exact spelling from the Amendment? It's d-a-i-l-y."

Black: "Oh."

Eddy: "That is the..."

Black: "So, like it'd be a daily newspaper?"

Eddy: "That's exactly the case."

Black: "Not... not someone who might be in the political arena."

Eddy: "Absolutely."

Black: "That might be why your Bill got called. Okay. Fine, thank you."

Speaker Novak: "Is there any discussion? Any further discussion? Seeing none, Representative Eddy now moves that the House concur in Senate Amendments #1 and 3 to House Bill 2797. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Washington, do you wish to vote, Sir? Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendments #1 and 3 to House Bill 2797 is hereby declared passed. On a Motion to Concur, the Gentleman from Cook, Mr. McCarthy on House Bill 2805. Mr. McCarthy."

McCarthy: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1 to House Bill 2805. House Bill 2805 passed this House earlier on a vote of 114-0. The Senate Amendment basically changes 'a public university' to 'an Illinois public university' to make it crystal clear that when we appoint a faculty member they have to be a person

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from an Illinois public university. I would ask for your concurrence."

Speaker Novak: "Are you finished, Mr. McCarthy?"

McCarthy: "Yes, Mr. Speaker."

Speaker Novak: "Thank you. Is there any discussion? Seeing none, Mr. McCarthy... Representative McCarthy now moves to concur in Senate Amendments #1 to House Bill 2805. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Pihos, Representative Pihos. Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendments #1 to House Bill 2805 and is hereby declared passed. On a Motion to Concur, the Lady from Lake, Representative Ryg on House Bill 3061. Representative Ryg. Representative Ryg."

Ryg: "Thank you, Mr. Speaker. This is simply a technical Amendment to correct a drafting error. It moves the language provisions concerning context sensitivity design from the Illinois Vehicle Code to the Illinois Highway Code. Thank you."

Speaker Novak: "Thank you. Is there any discussion? On that question, the Gentleman from Cook, Mr. Parke."

Parke: "Yes. Can you explain a little bit further? I'm not sure I understand. What does this Amendment do? I mean, what is the concurrence then with the Senate Amendment?"

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Ryg: "There was a drafting error when the Bill was amended in the House and it was caught in the Senate. And instead of belonging in the Vehicle Code, it's intended to be in the Highway Code. It was caught in the Senate and they prepared an Amendment."

Parke: "Thank you."

Speaker Novak: "Is there any further discussion? The Gentleman from Vermilion, Mr. Black."

Black: "Yes. Thank you very much, Mr. Speaker. Did the... Representative, did the Senate Amendment put any sense of real world reality into this Bill? I hate to be so negative, but I'm just curious."

Ryg: "Representative, the real world reality was that it was in the wrong section of the codes, so they put it in the correct section of the codes. And that's strictly what the Senate Amendment did."

Black: "Okay."

Ryg: "It did not change any substance of the Bill."

Black: "So, the Senate Amendment didn't really add anything to the Bill. It just put it in the... put it in the Highway Code under the Vehicle Code."

Ryg: "It was incorrectly drafted as part of the Vehicle Code when it was amended for the House."

Black: "Ahh. So, in other words, IDOT will still have to sit down with people and divide roads that are aesthetically pleasing, maybe the asphalt could be green in some areas rather than that evil old black color or maybe the road would be curved around the old elm tree. In other words,

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that's the general purpose of this is to get highway engineers, those people who get so hung up on math and science and their slide rules and their computers, you know, and instead of designing a highway, they should be designing something that would more resemble a Picasso."

Ryg: "The substance of the Bill really didn't change."

Black: "Oh."

Ryg: "And the Illinois Department of Transportation has agreed to look at these concepts to use their engineering expertise to work in concert with the community to try and design roads that meet multiple needs."

Black: "Representative, you've been well-coached. That answer was positively brilliant, I will give you that."

Ryg: "Thank you."

Black: "Mr. Speaker, to the Motion to Concur."

Speaker Novak: "To the Motion."

Black: "The Senate has added nothing to a Bill that I voted against when it left here. I had hoped that we could convince the Sponsor to make this a pilot program to see how, perhaps, one IDOT district could or could not easily work with communities to design roads that the community thought would be more aesthetically pleasing, or my words not hers, or would better fit into the overall community picture. The reason that I stand in opposition to the Bill, again, trying to represent my district to the best of my ability, we would take some roads, we don't care really how they're designed, if they'll get us to point 'a'... from point 'a' to point 'b' and be two lanes and a hard surface

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rather than gravel, we don't really care how the engineer designs it. We'd just like to get off gravel roads and dirt roads and single-slab concrete roads that were built in the 1920s that, to this day, we still drive on. Now, I don't... I don't object to what the Bill and the concurrence Motion does. I just wish we would have made it a pilot project to see how it worked, because I know I can speak, I think, for a majority of the people in my district. We don't want any delays. We don't want the engineers to go back and worry about whether we jog around this bend or that bend or whether we overlook the farmer's pond or the gosling nest or whatever the heck it is. We just would like roads built, from point 'a' to point 'b'. And I just have a hunch this Bill, as drafted and with the Senate Amendment, will delay the engineering work on certain roads. If it was a pilot project in her district, I'd be the first to vote for it, but I don't want anything, given the Road Fund diversion and the hit that downstate road districts have already taken, we can't afford anymore delays. We just can't afford it. And if you don't want your road money or you wanna study a road for five or ten years, please, call any central Illinois Legislator in IDOT district 5, 6 or 7, we'll take the money and we'll take the road, the sooner the better. I intend to vote 'no' on this Bill."

Speaker Novak: "Further discussion? Seeing none, the Motion is, 'Shall Senate Amendments #1 be adopted... be concurred into House Bill 3061?' All those in favor vote 'aye'; all



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those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 77 voting 'yes', 39 voting 'no', 1 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 3061 is hereby declared passed. On a concurrence Motion on House Bill 3106, the Lady from Cook, Representative Bassi. Representative Bassi."

Bassi: "Thank you, Mr. Speaker. I would urge an 'aye' vote for concurrence on Senate Amendment 1 for House Bill 3106 which takes away the objections of the Illinois State Police. And what it says is that the owner of a vehicle must within 90 days of the date of the repairs for their vehicle, this is our... was our VIN number Bill which we were changing VIN numbers on the car. The State Police wanted to be involved in the issue, so we... what they did was give them 90 days for the owner to get to a State Police person for inspection and that way it keeps the whole thing under the auspices of the State Police."

Speaker Novak: "Thank you. And on that Motion, the Gentleman from McHenry, Mr. Franks."

Franks: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Novak: "Sponsor yield."

Franks: "Representative, I've got a question. Is there a penalty provision here? What happens if the 90 days isn't met? What happens, does the car not get titled?"

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Bassi: "No. What happens, at that point, it would be the exact same thing as is now in effect and I don't know what is now in effect, frankly."

Franks: "I'm sorry, I couldn't..."

Bassi: "But it does..."

Franks: "I couldn't hear you."

Bassi: "There is, currently, some kind of a penalty now, in effect. We didn't put a penalty in here. It was just to make sure that the State Police had auspices over making sure that this... this got done."

Franks: "Okay. Maybe later you could let us know what the penalty is. I just... I just didn't see... I understand what you're trying to do here, but I'm not sure if there's..."

Bassi: "No, we didn't change the penalty. It's whatever was there before."

Franks: "Oh, it's the same one, whatever it is."

Bassi: "Yeah."

Franks: "Okay. Thank you."

Bassi: "Okay."

Speaker Novak: "Is there any further discussion? Seeing none, Representative Bassi now moves that the House shall concur in Senate Amendments #1 to House Bill 3106. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendments #1 to House Bill 3106 and is hereby

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declared passed. On a Motion to Concur, the Gentleman from Champaign, Representative Rose on House Bill 3387. Mr. Rose."

Rose: "Thank you, Mr. Speaker. I'm waitin' for this to pop up on my computer, here."

Speaker Novak: "Mr. Rose."

Rose: "Thank you, Mr. Speaker. I move for concurrence on House Bill 3387, Senate Amendment #1. Specifically, what it would do, it'd add to the Bill by specifying the possession of meth... crystal methamphetamine chemicals with the intent to manufacture is not an offense for which probation, periodic imprisonment or conditional discharge shall be imposed. The bottom line on this Amendment is that in the original Bill I had listed by name specific offenses, where the Amendment actually lists by section site those offenses. I would ask for concurrence in Senate Amendment #1 to House Bill 3387."

Speaker Novak: "Thank you. Is there any discussion? Seeing none, Mr. Rose now moves that the Ho... 'Shall the House concur in Senate Amendments #1 to House Bill 3387?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendments #1 to House Bill 3387 and is hereby declared passed. A Motion to Concur on House Bill 3407. The Gentleman from Franklin, Mr. Forby. Mr. Forby."

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Forby: "Thank you, Mr. Speaker. I concur with Senate Amendment #1. What it does, instead of giving two public notices you just have one public notices. I ask everybody to concur."

Speaker Novak: "Thank you. Is there any discussion? Seeing none, Mr. Forby now moves that the House shall concur in the Senate Amendments #1 to House Bill 3407. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendments #1 to House Bill 3407 is hereby declared passed. On a concurrence Motion, the Gentleman from Clinton, Mr. Granberg on House Bill 3582. The Gentleman from Clinton, Mr. Granberg."

Granberg: "Thank you, Mr. Speaker. The..."

Speaker Novak: "Mr. Granberg."

Granberg: "The Motion to Concur in Senate Amendment #1, the speaker from Kankakee, simply makes a change from the House Bill that allows the forum... the structured settlement, they changed the venue provisions to allow the application to be filed by the transferee in the Circuit Court which the action was or could have been maintained or before any responsible administrative authority that initially approved the structured settlement agreement. This reflects the same provisions that are in the Illinois Insurance Code to make it consistent with the Act."

Speaker Novak: "Thank you. Is there any discussion? Seeing none, Mr. Granberg now moves that the House shall concur in

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Senate Amendments #1 to House Bill 3582. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendments #1 to House Bill 3582 and is hereby declared passed. On a Motion to Concur, the Lady from Cook, Representative Mendoza on House Bill 3587. Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill, well, the Amendment to House Bill 3587 improves the original Bill. I would ask that we concur. And what it does is that it says that teachers who file a letter of intent with the... with the Board of Ed when applying for the position of teachers or who do go ahead and sign a letter of intent that they will become U.S. citizens within a ten-year period or at the earliest legal opportunity for them to apply, would be eligible then to maintain their jobs under current law. We debated a Bill that would've eliminated the citizenship requirement entirely. This Bill, I think, addresses the issue which is to keep teachers working in the system who have not been able to meet the requirement of citizenship because of different rules in immigration law and the... the time frame that sometimes they just cannot legally or physically meet. So, I'd ask that we all agree on this Bill. And ask for 'aye' votes. Thank you."

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Speaker Novak: "Is there any discussion? Seeing none, Representative Mendoza now moves that the House shall concur in Senate Amendment #1 to House Bill 3587. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Flowers. Take the record. On this question, there are 115 voting 'yes', 1 voting 'no', 1 voting 'present'. And the House does concur in Senate Amendments #1 to House Bill 3587 and is hereby declared passed. On a Motion to Concur, the Lady from Cook, Representative Currie on House Bill 3501. Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This deals with fees that Clerks of the Circuit Court apply and says that they shall not, when it comes to orders of protection and so forth. The Bill, originally, also, would require them to send these notices to day care centers, to schools, where children also are protected by the orders might be. The Coalition Against Domestic Violence felt that that... Violence felt that that issue ought to be one that was reserved to the victim and so the Senate took out, by Amendment 1, the requirement that those institutions be notified. I know of no opposition. And I'd appreciate your support for the concurrence Motion on House Bill 3501."

Speaker Novak: "Thank you, Representative. Is there any discussion? Seeing none, Representative Currie now moves

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that the House concur in Senate Amendments #1 to House Bill 3501. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur in the Senate Amendments #1 to House Bill 3501 is hereby declared passed. Mr. Clerk, Supplemental Calendar #1. Read House Bill 173... excuse me, Senate Bill 173."

Clerk Bolin: "Senate Bill 173, a Bill for an Act in relation to vehicles. Second Reading of this Senate Bill. Amendments 1 and 2 were adopted in committee. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 702."

Clerk Bolin: "Senate Bill 702, a Bill for an Act in relation to governmental ethics. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 719."

Clerk Bolin: "Senate Bill 719, a Bill for an Act concerning conveyances. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 742."

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Clerk Bolin: "Senate Bill 742, a Bill for an Act in relation to executive agencies. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 744."

Clerk Bolin: "Senate Bill 744, a Bill for an Act concerning schools. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 774."

Clerk Bolin: "Senate Bill 774, a Bill for an Act concerning budgeting. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 777."

Clerk Bolin: "Senate Bill 777, a Bill for an Act in relation to child care. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 842."

Clerk Bolin: "Senate Bill 842, a Bill for an Act concerning taxes. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 874."



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Clerk Bolin: "Senate Bill 874, a Bill for an Act regarding finance. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 955."

Clerk Bolin: "Senate Bill 955, a Bill for an Act to amend the Election Code. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 969."

Clerk Bolin: "Senate Bill 969, a Bill for an Act in relation to taxes. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 1000."

Clerk Bolin: "Senate Bill 1000, a Bill for an Act in relation to environmental protection. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 1005."

Clerk Bolin: "Senate Bill 1005, a Bill for an Act concerning environmental protection. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 1634."

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Clerk Bolin: "Senate Bill 1634, a Bill for an Act concerning utility taxes. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 1725."

Clerk Bolin: "Senate Bill 1725, a Bill for an Act concerning taxation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 1733."

Clerk Bolin: "Senate Bill 1733, a Bill for an Act in relation to utilities. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 1743."

Clerk Bolin: "Senate Bill 1743, a Bill for an Act concerning economic development. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 1903."

Clerk Bolin: "Senate Bill 1903, a Bill for an Act concerning the state budget. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Novak: "Hold this Bill on Second Reading. Senate Bill 2003."

Clerk Bolin: "Senate Bill 2003, a Bill for an Act concerning boards and commissions. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold this Bill on Second Reading. House will stand at ease. Representative Jakons... Jakobsson on a concurrence Motion on House Bill 1530. Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. The Amendment to 1530 amends... inserts 'liquid' in two places in the Bill. And I think there was a question on the floor before when we had this. This would ban the manufacture, sale and distribution of liquid mercury-containing fever thermometers in Illinois. And further, would prohibit the sale or distribution of mercury-containing novelty items unless the mercury is in contained within a button cell battery or a fluorescent light bulb."

Speaker Novak: "Thank you. And on this Motion, the Gentleman from Vermilion, Mr. Black."

Black: "Mr. Speaker, I'm sorry. Did you call on me?"

Speaker Novak: "Mr. Black. Yes, Sir."

Black: "Yes. Well, speak up."

Speaker Novak: "I'm quite loud today."

Black: "I've never known you to be so quiet."

Speaker Novak: "Thank you, Mr. Black."

Black: "Thank you. Will the Sponsor yield?"

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Speaker Novak: "I think she will."

Black: "Yes."

Speaker Novak: "Thank you."

Black: "Now, Representative, let's go back to that original question. It appears that the Senate discovered some things that I was not aware of in the original Bill. Evidently, there are... there's mercury in some sealed batteries and evidently, some element of mercury in fluorescent light bulbs and I didn't know that at all. So, the Senate Amendment, it seems to me, that would say, mercury batteries as long as the battery is sold or I'm sorry... solid, not come apart or whatever and fluorescent bulbs that have a measure of mercury in it, those are still legal and lawful products and can be sold in the State of Illinois, correct?"

Jakobsson: "Yeah, it a... clarifies the sale of mercury-added novelty items is permitted if the mercury is contained within a button cell battery or a fluorescent light bulb."

Black: "All right. Are you... I assume... are these the only two products that somebody's been able to come up with that utilize mercury that will still be legal? I mean, I don't know if there are any more products out there or not, quite frankly."

Jakobsson: "These are the products that I know about."

Black: "Okay. What about the Mercury automobile? Can it still be sold in the State of Illinois?"

Jakobsson: "I don't know about the Mercury automobile, Mr. Black."

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Black: "I would think they would have changed that name years ago, quite frankly, but thank you, Representative. Mr. Speaker, the Gentleman from..."

Speaker Novak: "To the Motion."

Black: "Yes. The Gentle... the Motion. Yes, the Gentleman or the Speaker from Kankakee, I'm sorry. To the Motion. I, again, I'll just... I'm getting to a point in my old age where I'm getting quite stubborn. I... one can look at this Bill and see why many of you'll vote for it. I still look at the Bill and see an inconsistency that I just can't reconcile and the inconsistency is that an out-of-state manufacturer can still make a mercury-based thermometer and can sell that mercury-based thermometer to an Illinois health care facility. That's in the underlying Bill. The health care facilities say that that thermometer is necessary for an accurate reading, particularly in cases of hypothermia. Now, that thermometer, by the way, does not go in the... well, it doesn't go in your mouth. So, where it goes, I don't think you can bite it. But be that as it may, the inconsistency of saying that an out-of-state manufacturer can manufacture and sell a mercury-based thermometer to an Illinois hospital, but an Illinois manufacturer and there are none, I understand that, but we've gotten... we've had subsequent discussions that even if an Illinois health products distributor wanted to sell a mercury-based thermometer to a hospital, he or she couldn't do that. Again, an out-of-state distributor and an out-of-state manufacturer could sell to an Illinois

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hospital, but an instate medical distributor could not and there are no... and I stand corrected from the House debate, there are no manufacturers of these in Illinois. It just seems awfully strange to me that an out-of-state provider can sell this product to an Illinois hospital, but an Illinois provider cannot sell a product to a hospital. That just seems inconsistent to me and it's for that reason and I can't think of any better reason than that, that I intend to vote 'no'."

Speaker Novak: "Thank you. Any further discussion? Seeing none, Representative Jakobsson moves that the House concur in Senate Amendments #1 to House Bill 1530. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Wirsing. Mr. Clerk, take the record. On this question, there are 88 voting 'yes', 27 voting 'no', 2 voting 'present'. And the House does concur in the Senate Amendments #1 to House Bill 1530 and is hereby declared passed. On page 35... 35 of the Calendar, on the Order of Resolutions, House Resolution 61. The Lady from Cook, Representative Soto. Representative Soto."

Soto: "Thank you, Speaker and Members of the House. One moment, please."

Speaker Novak: "Representative Soto."

Soto: "Thank you, Speaker. House Resolution 61, the synopsis's purpose that the House will reestablish the House task force for Hispanic teen pregnancies. The task force will

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include three House Members and three public members appointed by the Speaker of the House and two House Members and two public members appointed by the House Minority Leader. Public members must represent the Hispanic community and providers of health care and other services to teenagers. The task force must report by September 1, 2003. And I urge support for this task force. Thank you, Speaker and Members of the House."

Speaker Novak: "And on this Resolution, is there any discussion? The Gentleman from Cook, Mr. Fritchey."

Fritchey: "Thank you. Will the Sponsor yield?"

Speaker Novak: "Sponsor'll yield."

Fritchey: "I, obviously, have no objections to this. I've got a question, though. Will we look at just focusing on teen pregnancy within one segment of the population? I'm just wondering, I guess, why we generally won't be... we're gettin' the bigger issue of teen pregnancy or within it there's issues that are specific to the Hispanic community that are requiring separate task force just to look at that?"

Soto: "Representative Fritchey, the reason for this task force is because there was a national study on teen pregnancy and when they took... when you broke it down to the Latino community, the rates keep increasing and other communities was decreasing."

Fritchey: "That's the answer I was lookin' for. Thank you."

Soto: "Thank you."

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Speaker Novak: "Further discussion? The Lady from Cook, Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Novak: "Sponsor'll yield."

Mulligan: "Representative Soto, did you say that... is it in your Resolution that the composition of the task force and the members represented have to represent the Hispanic community, did you say?"

Soto: "Correct."

Mulligan: "So, what would qualify?"

Soto: "Your district would qualify, Representative Mulligan."

Mulligan: "All right. I mean, if there's... if you just have a significant number of Hispanic... people of Hispanic origin, that would qualify the person to serve on the... on the task force, if your Leaders decided to choose?"

Soto: "Correct."

Mulligan: "I'm just wondering. That's what I wanted to know. Thank you."

Soto: "Thank you."

Speaker Novak: "Further discussion? The Gentleman from Vermilion, Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Novak: "Sponsor'll yield."

Black: "Representative, this Resolution has been amended, has it not?"

Soto: "No, it hasn't, Representative Black. Not to my knowledge."



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Black: "I think you better check again, Representative, 'cause it has been."

Soto: "I'm looking."

Black: "I'm from government and I'm here to help."

Soto: "Okay. Okay, I see it, Representative. Do you have a question for me?"

Black: "Yes."

Soto: "Okay."

Black: "It has been amended. Committee Amendment #1."

Soto: "Do you know what, my analysis doesn't show the Amendment."

Black: "Uh, oh. Mr. Speaker, an inquiry of the Chair."

Speaker Novak: "State your inquiry, Sir."

Black: "I believe Committee Amendment #1 changing the number 2 to 3, so that we had parity among Minority and Majority Parties. I believe, Committee Amendment #1 was, in fact, adopted to the Resolution. Would the Clerk check?"

Speaker Novak: "The Clerk advises me, you are correct, Mr. Black."

Black: "That's what I thought. See, I... I'm from State Government and I'm here to help. So, Representative, now, did you hear that? Committee Amendment #1 was adopted to the Resolution."

Soto: "Yes, I'm sorry, Representative Black."

Black: "Okay."

Soto: "Now, we do... I do see it."

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Black: "So, instead of the language, unless your laptop has been updated, where it says '2 Representatives', it would be '3', right?"

Soto: "Correct."

Black: "And everything else..."

Soto: "I'm looking at it right now."

Black: "...everything else stays the same."

Soto: "Yes. Yes, Sir."

Black: "Okay. Is there any... given the fact, well, I say the fact, given the appearance that boards and commissions are going to change considerably, your Resolution does not call for a... expenses or per diem of the task force?"

Soto: "No. No, it doesn't."

Black: "All right. Fine. Thank you, Representative."

Soto: "Thank you."

Speaker Novak: "Is there any further discussion? Seeing none, the question is, 'Shall House Resolution 61 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. The 'ayes' have it. And House Resolution 61 is adopted. On page 9 of the Calendar, Senate Bills-Third Reading, the Gentleman from Cook, Mr. Bradley on Senate Bill 1638. Mr. Bradley. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1638, a Bill for an Act in relation to insurance. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Bradley."

Bradley: "Thank you, Mr. Speaker, Members of the House. 1638 applies to Chicago. In every municipality in the state, except Chicago, EMTs and paramedics double as firefighters

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and are therefore, covered under the Public Safety Benefits Act. Chicago is unique in that it employs approximately 800 EMTs and paramedics who are not firefighters and thus, are excluded from the Act's coverage. This Bill would extend the provisions of the Public Safety Employment's Benefits Act to the surviving spouses and dependent children of EMTs and paramedics in Chicago who are killed or catastrophically injured in the line of duty. And I appreciate the work Representative Black did in conferring with this and clarifying that again it did only apply to Chicago."

Speaker Novak: "Is there any discussion? On that question, the Gentleman from Vermilion, Mr. Black."

Black: "Thank you very much, Mr. Speaker. We just want to thank Representative Bradley for his willingness to take this Bill out of the record because there was some confusion on our part as to what the Bill does. And just so that everyone... everyone knows that the Bill... the Bill that's before us corrects an oversight in the City of Chicago. And they are probably the only, well, they're the biggest city in the state, obviously and the only city that, it was explained to me, who have EMTs and paramedics who are not members of the Chicago Fire Department, so they were not eligible for this death benefit and I... after 9/11/01, I don't know of anybody who would begrudge that. But I think it's important for Legislators who are not residents of the City of Chicago or the County of Cook this... this Bill as configured, now, we may try to bring a

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Bill later on. This Bill, as configured, does not add downstate or... you don't have to be downstate, there are some collar counties that have volunteer firefighters and volunteer EMTs and paramedics who serve on fire districts or ambulance districts. This does not add them to that protection. It's something that I think we'll work on in the future. But, again, it only impacts Chicago and for some reason, Chicago has a number of EMTs and paramedics who are not members of the fire department and as such, do not get the public employee benefits that a firefighter would. The sticking point, as Republican and Democrat staff pointed out to me, is the word 'full-time' and of course, by the very nature of a volunteer ambulance district and firefighter, they are not full-time. So, if you're from a community downstate, I just don't want you to go home and say, we put our volunteer EMTs and paramedics under the Public Employee Benefit Act because you did not. If you vote for this, what you are doing is to put Chicago EMTs and paramedics who, for whatever the reason, are not members of the Chicago Fire Department under the Public Employees Death Benefit Act. Just... and again, our sincere thanks to the Representative for clarifying this with us so that those of you served, as Metr... in my district is served by volunteers, know that this doesn't impact you. Well, I wish it impacted us, but it doesn't. It impacts the City of Chicago."

Speaker Novak: "Thank you. Is there any further discussion?  
Mr. Bradley to close."

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Bradley: "Appreciate your support and appreciate the remarks of Representative Black."

Speaker Novak: "Thank you. The question is, 'Shall Senate Bill 1638 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 1638 is hereby declared passed. On page 36 of the Calendar under Orders of the Resolutions, House Resolution 147. The Gentleman from Cook, Mr. Miller. Mr. Miller."

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 147 basically studies sugar consumption in elementary and second... schools. It analyzes or wants the study for the fact that our children are made available to soda machines and various financial relationships. I ask for its approval."

Speaker Novak: "Thank you. Is there any discussion? The Lady from Cook, Representative Flowers."

Flowers: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Novak: "Gentleman yields."

Flowers: "Excuse me, Representative. Would you tell me once again what is the purpose of this Resolution?"

Miller: "It looks at... it looks at the relationship of sugar consumption with children. As you know, or as you may know, that a lot of times our children are overweight and have a high incidence of caries and other things and what

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we wanted to do is try to look at that relationship with the availability of like soda machines and things like that and to study its consumption in addition to any financial relationships that may re... may occur between local school boards and manufacturer of soft drinks."

Flowers: "So, we're gonna look at the pop machines that's in the schools and then we're gonna figure out if the children are getting fat as a result of what's in the machines and then we're gonna figure out if there's a relationship, a monetary relationship, between the school and the vendor of the machine?"

Miller: "Yeah."

Flowers: "Pardon me?"

Miller: "Yes."

Flowers: "Okay. Don't we know that already? Because..."

Miller: "No, no, we don't."

Flowers: "We don't know that sugar has caused diabetes in a lot of children and obesity. And we don't know that they've been forced to go to people like you, to the dentist, because of the sugar?"

Miller: "Oh, yeah. I would say... I would say we do know that. Yeah. I mean, as far as the consumption, but I'd visited one of my schools for a career day and found one of the soda machines in the hallway where children have access to it. And so, I think this is an issue of... when I was growing up, those soda machines were in teachers' lounge..."

Flowers: "Right."

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Miller: "...area as opposed to just made available to children. And so, you know, my thinking would be to have milk machines or juice and stuff like that that are more.. more healthy as opposed to this and to look at that though."

Flowers: "Okay. Just to the Resolution, Mr. Speaker. I agree with the Gentleman, but I think the study has been done on numerous of occasions to prove that the pops and what's in the vending machine and even some of the food that the schools serve is not in the best interests of the children. I hope this really doesn't cost the taxpayers any money because it has been proven to be unhealthy already, but for whatever reason. Thank you."

Speaker Novak: "Further discussion? The Lady from Cook, Representative Davis. Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Novak: "Sponsor'll yield."

Davis, M.: "Representative Miller, does this include perhaps some of the.. is this study gonna take place with some of the foods the children also are being served for lunch?"

Miller: "Actually, that's an excellent question. No, it doesn't. The study just focuses on available of candy and soda machines in schools, especially if there are contracts with that school for these machines."

Davis, M.: "My concern, Representative, is in reference to the lunches sometime children are served. For example, they may be given potatoes and then corn in the same meal and both of those turn to sugar. Did you know that? I mean, that's significant, also. You know, I had a Bill in the

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Education Committee that was asking the State Board of Education to more seriously monitor the lunches that children are served and one of my reasons was because sometimes the combination of meals they're served are very unhealthy. For example, would you be concerned if children had pancakes and syrup for breakfast?"

Miller: "Would I, personally? I think there are other alternatives."

Davis, M.: "Well, would you expect your study to look into that?"

Miller: "Well, the study doesn't focus on that, unfortunately. I think... yeah, I think that's an excellent idea."

Davis, M.: "It's sugar."

Miller: "As you..."

Davis, M.: "Syrup is sugar."

Miller: "Yeah, exactly. I think... I think it's an excellent idea to the point of analyzing what children have for lunch and even, as you know, after school and before school meals. I think it's extremely important. My understanding would be that that school or school board would at least focus on what the dietary association would recommend for any particular serving at that particular meal. However, this focuses on really the availability of candy and sweets, so it, ya know, if you bring something back, I'd be more than happy to address that..."

Davis, M.: "I just thought you may want to broaden the study to include all the intake of any dietary substances, be they food or pop or whatever is available to that child during



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the day. Do you know some children have donuts for breakfast at school, that it's served to them?"

Miller: "Absolutely. Some adults have donuts for breakfast, too, but... but focusing on the children, I think that if we look at, ya know, if the schools aren't... aren't providing a nutritious supplement for them in the morning or in the afternoon or in the evening, I think that needs to be looked at. However, I think this just strictly deals with the availability of an additional sweets and sugars and stuff that the children may just be walking down the hall and decide to, you know, just purchase on their own."

Davis, M.: "So, your concern mainly is with the machines that are located in, I think, mostly the high schools where the children can purchase pops and stuff."

Miller: "No, it's not just necessarily the high school. Like I said, I was at a elementary school in Calumet City about a month or so ago and there was a soda machine right in the middle of the hall and so, they do exist in smaller schools. Like I said, when I was in high school and elementary school, those machines weren't made accessible to us at all. They were considered, you know, drinks for adults as opposed to children."

Davis, M.: "To the... to the Resolution. I support the Resolution, however, I believe we have a much larger problem than the... than what this Gentleman is attempting to address. He's really attempting to address a small problem when the nutrition problem in our schools is really abhorrent. The meals that are being served, the lack of

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nutrition and all of these things included with, Representative Miller, included with the fact that there's less physical activity for the children during the day. Now, I don't know if your concern is with dental decay, where they may have to come and visit you and you're trying to prohibit such activity or if your concern is more with the health of the students, the total health of students, and we should not be providing any substances or making them available for things that are unhealthy for our children and I think we really need to broaden the study. I do support you and I commend you for bringing this Resolution to the floor. I'd like to be added as a cosponsor. Thank you."

Speaker Novak: "Further discussion? The Gentleman from Vermilion, Mr. Black."

Black: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Novak: "Yes, the Sponsor'll..."

Black: "Thank you."

Speaker Novak: "...yield, Sir."

Black: "Representative, I have some candy bars over here that many people have been helping themselves to all day, you're more than welcome to come over and have one. Let me ask you a question. Do you think there is a slight chance that this study will come back and say, by golly, we're not eating enough sugar? Do you think there's any chance that'll happen?"

Miller: "I think it's looking at the relationship... To answer the question, no."

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Black: "All right. Representative, sugar and tooth decay, is there a relationship?"

Miller: "Yes."

Black: "All right. Would this be an initiative of the Illinois State Dental Society?"

Miller: "Yes."

Black: "Are you a dentist?"

Miller: "Yes, I am."

Black: "I rest my case."

Speaker Novak: "Any further discussion? The Gentleman from Madison, Mr. Davis. Steve Davis."

Davis, S.: "Yes. Thank you... thank you, Speaker. Will the Sponsor yield?"

Speaker Novak: "Sponsor'll yield."

Davis, S.: "Yeah, Mr. Black, I think, took away one of my questions. Is this about nutrition or is this about teeth, Representative?"

Miller: "Well, I think, it's... they're interrelated. You know, teeth are very important and not to get into the... to the physiological importance of teeth, but even if a senior has no teeth, they're not able to chew their food and so they... it will affect their entire health. Same thing with children adversely, if they eat too much... too much sweets, obesity, diabetes at an early age, other... in additional physical things that happen to 'em as opposed to just caries and lesions of the teeth."

Davis, S.: "Well, I was under the assumption that most of the sugar and sugar supplements came from the sugar beet and

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really not from pure cane sugar from Hawaii. Is that correct or no?"

Miller: "I don't know."

Davis, S.: "I mean, it's really my understanding they don't even make pure cane sugar in Hawaii anymore, that C & H quit doin' that."

Miller: "I think it's..."

Davis, S.: "Well, are you gonna find out where all this sugar's comin' from, Representative, in this Resolution?"

Miller: "Well, I think that sugar's comin' from the candy and the soda pop."

Davis, S.: "Well, how come it is that you're against sugar. What about the hamburger and the hot dog and the bread and the potatoes, the mashed potatoes and gravy and the roast beef."

Miler: "Well..."

Davis, S.: "That has somethin' to do with nutrition, doesn't it?"

Miller: "Oh, absolutely. But I think that's what the former... the Representative that just spoke in relationship to was concerned about other sugary substances in other school... in other meals throughout the course of the child's time at school."

Davis, S.: "You know, there are a lot of Members in here that are on the Atkin's diet and all they do is eat meat and then we... and then down in our own Rathskellar, we've got some pretty unhealthy foods that are named after Representatives and we've got the Holbrook Chicken Fingers

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down in the Rathskellar. I think that we ought to do a study on the Holbrook Chicken Fingers and see how healthy those are for the Legislators who are up here ordering 'em and eatin' 'em."

Miller: "Well, I think we could even look a little closer and look how many of our colleagues across... on both sides of the aisle have from M&Ms to Milky Ways to all kinds of sweets that are just available. The access to sweets in this chamber is just tremendous and it's just apparent to the fact that the way, at least for myself, between the first time I got here and now how much weight I've gained and everything else that's gone with it. So, I think this is an excellent Amendment to protect the children in the State of Illinois to make sure that they are protected."

Davis, S.: "You know, I think that's a cheap trick, Representative, to bring in the sweetness of the chamber and try to get the COWL Caucus to get on board of your Resolution. I think that's a real cheap shot, Representative. Is that what you were talkin' about, the sweetness in the chamber was the COWL Caucus?"

Miller: "The sweetness of... of what? What we're jus... we're focusing on what happens during normal school hours and the fact that these children in our schools in Illinois are faced with the fact that they have an option to spend their parents' money or their hard-earned money on candy and sweets that may have a detrimental affect to their long-term health."

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Davis, S.: "Okay, Repre... Okay, Representative. I think that you've answered my questions fairly honestly. I would like next year for you to come back though and do a Resolution to really study the consumption of the fatty foods, the hamburgers, the hot dogs, the grease, fried chicken... Ahh, we didn't... no, don't do the fried chicken. Raymond Poe does that for us. Leave the chicken out of it. But I will support your Resolution. Thank you, Representative."

Miller: "Thank you."

Davis, S.: "Further discussion? The Gentleman from Cook, Mr. Lang."

Lang: "Thank you. Will the Sponsor yield?"

Speaker Novak: "Sponsor yields."

Lang: "Representative, is this... is this a legislative task force? What kind of study will this be?"

Miller: "I believe a legislative task force would be a governmental appointment. It directs the Department of Public Health in conjunction with the Department of Education to study effects of sugar consumption."

Lang: "Do you... well, how will you study this? Will you get free samples of candy bars from every company in Illinois that makes them and if free samples will be available, can we join in?"

Miller: "Well, I think it's impossible to get every... samples... well, if you would like free samples of candy bars, I think you need to contact the manufacturers. However, I think what we need to look at in this though, is the availability and the access. As you know, in this chamber, access to

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sweets is tremendous and so can imagine the school children."

Lang: "I... well, I don't know what to say. Representative, how did this get to the floor? Shouldn't this have been studied by one of our substantive committees?"

Miller: "Well, it's... it's because it's important and if you notice the number of cosponsors I have, it's a fact that... what happens is, is that many schools or many companies offer to pay for their boards... their gym boards or whatever and then free... scoreboards, thank you, for in return for accessing their products. But, unfortunately though, is that because of these products sometimes it can affect, clearly, the health of a child."

Lang: "I have... Excuse me, are you taking up collections, Mr. Black? Thank you, Representative. I think I'm gonna vote for this, but I'm not sure why. Thank you."

Speaker Novak: "Further discussion? The Gentleman from Cook, Mr. Dunkin."

Dunkin: "Would the Speaker hear? Yield?"

Speaker Novak: "Mr. Dunkin."

Dunkin: "Will the Speaker yield?"

Speaker Novak: "The Sponsor yields."

Dunkin: "Okay. Just a question... to the Sponsor here, excuse me. Representative, is there a cost attached with this? I may have missed that portion of it."

Miller: "That's an excellent question that was asked in committee. The Department of Public Health and State Board

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of Education will use existing staff and resources to review the data conducted necessary..."

Dunkin: "I'm sorry. You know, I can't really hear, Mr. Speaker."

Miller: "While there would be a cost, both... they said... both agencies said that it would be not substantial, to answer the question."

Dunkin: "It'll be not for what, now?"

Miller: "Not substantial."

Dunkin: "Not substantial. I'm confused. What is not... is it that under \$300 thousand or... I'm just tryin' to get an idea of what not substantial is."

Miller: "Basically, they have the staff to do it and so, I would assume it to be nominal, if that's a better word."

Dunkin: "Okay. Well, this is important because... Actually, I ran an afterschool program for five years with the Boys and Girls Clubs in the Robert Taylor Housing Development. In most of the diets of a lot of kids in that type of environment was salt from the potato chips that they ate and hot sauce that they put on it and a lot of the candy and a lot of the artificial sweeteners that existed on the junk food that a lot of individuals, kids participated with it. So, studies like this, right here, has a indirect value to the social temperament of young kids, especially those young kids who do not have parents at home who can immediately monitor their eating habits. A lot of parents give their kids two and three dollars sometimes during the week and that adds up to a great deal of sugar and salt



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consumption and sometimes kids act out in the communities such as, the communities that I've worked in, and they..."

Miller: "Is that a question?"

Dunkin: "...have violent occurrences, they're hyperactive, they have accidents because they have a high or great deal of sugar content in it. So, this is a very serious Resolution. I know, you know, there's probably some obviously dental implications, et cetera, but this is a type of Resolution that the State of Illinois needs to look at when it comes to nutritional diet for young people who get overexposed to sugars, refined sugars that can put... So, I... so, this is a good Bill, Mr. Sponsor. I would encourage an 'aye' vote."

Miller: "Was that a question?"

Dunkin: "No, it wasn't. Well, you answered the question when you said it was a nominal cost. And I just think it's important to make sure that we observe and monitor the sugar content of our kids when they come out of high school..."

Miller: "Thank you."

Dunkin: "...I'm sorry, grammar school and they eat so much sweet... sweet candy. I mean, look at... look at how some of us act here in this Body after we eat sugar."

Miller: "And there lies the effects of sugar."

Speaker Novak: "Further discussion? Mr. McCarthy."

McCarthy: "Thank you, Mr. Speaker. I move the previous question."

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Speaker Novak: "The Gentleman moves the previous question. All those in favor say 'aye'; all those in favor... against say 'no'. The 'ayes' have it. The previous question... the Motion carries. The previous question has been moved. The question is, 'Shall House Resolution 147 be adopted?' All those in favor say 'aye'... all those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Franks. Ms. Krause. Mr. Tenhouse. Mr. Bost. Mr. Clerk, take the record. On this questions, there are 87 voting 'yes', 27 voting 'no', 2 voting 'present'. And on that Motion, House Resolution 147 is hereby adopted. House Joint Resolution #3. The Gentleman from Kendall, Mr. Cross. Representative Coulson will be presenting the Resolution, House Joint Resolution 3."

Coulson: "Thank you, Mr. Speaker. I was just having my sugar break. House Joint Resolution 3 urges Congress to increase federal medical... Medicaid percentages for Illinois to more adequately reflect the increasing Medicaid population in Illinois. And I'd urge an 'aye' vote. Is there any question?"

Speaker Novak: "Thank you. Is there any discussion? Seeing none, the question is, 'Shall House Joint Resolution 3 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Kurtz. Take the record. On this question, there are 117 voting 'yes', 0 voting 'no', 0

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voting 'present'. And having reached the required Constitutional Majority, House Joint Resolution #3 is hereby adopted. Representative Currie for a Motion."

Currie: "Thank you, Speaker. I move to suspend the posting requirements so that House Resolution 339 can be heard in the Committee on Aging; House Resolution 324 in Agriculture; House Resolution 359 and Senate Joint Resolution 33 in Education; House Resolutions 222, 243 and 298 in Environment; House Resolution 357 in Higher Ed; House Resolutions 270 and 348, House Joint Resolutions 32 and 34 in Human Services; House Resolution 355 in Juvenile Justice Reform; House Resolution 352 in Labor; House Resolution 267 in R & R; House Resolutions 195, 226, 237, 241, 291, 304, 305, 306, 309, 345, 346 in State Government; House Resolution 256 and House Joint Resolution 9 in Transportation; House Resolutions 206, 242, 280, 329 and House Joint Resolution 36 in Veterans' Affairs. And that the Revenue Committee tomorrow, Wednesday, at 10 a.m. may have a subject matter hearing on the Governor's revenue enhancement proposals for the fiscal year 2004 budget."

Speaker Novak: "You've heard the Lady's Motion to suspend the posting requirements. All those in favor say 'aye'; all those opposed say 'no'. The 'ayes' have it. The Motion is... Leave has been granted. Clerk, for announcement."

Clerk Bolin: "Attention Members. The following committees will meet this evening upon adjournment. At 5:30, the Aging Committee will meet in Room 114; Agriculture & Conservation Committee will meet in Room D-1, Stratton; Consumer

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Protection will meet in C-1, Stratton; Higher Education will meet in Room 122-B; Judiciary I-Civil Law will meet in Room 118. At 6:00, the Human Services Committee will meet in Room C-1, Stratton; the Insurance Committee will meet in Room 122-B and Registration & Regulation will meet in Room 114."

Speaker Novak: "Mr. Molaro, for what reason do you rise, Sir?"

Molaro: "For the purposes of an announcement."

Speaker Novak: "State your announcement."

Molaro: "So, the Members of the Revenue Committee understand, we will be meeting at 10:00 sharp tomorrow, but it'll be in Room 114, 114 instead of our usual room. I assume that's because we're gonna do the revenue enhancement which I'm told is about this high by now. So, we'll see it, Room 114 at 10:00 and brings lots of coffee. Thank you."

Speaker Novak: "Thank you. Mr. Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker Novak: "State your inquiry, Sir."

Black: "Yes, I'm 20 minutes late according to the revised schedule for a committee meeting. I don't like to miss committee meetings. So, what is the status here? Are we on hold..."

Speaker Novak: "Well, we..."

Black: "...at ease or are we delaying the start of committees?"

Speaker Novak: "No, we're not delaying. We're just... well, I guess we're inadvertently delaying. The... We're just waiting on some further information."

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Black: "I see. I have a couple of Resolutions you could call."

Speaker Novak: "From the Republican Caucus, I've been advised."

Black: "As well it should be."

Speaker Novak: "Thank you."

Black: "I know that the caucus would like you to call at least two of my Resolutions, maybe three. You can take a look at 'em."

Speaker Novak: "Thank you, Sir."

Black: "A couple of House Bills."

Speaker Novak: "Representative Feigenholtz, for what reason do you rise?"

Feigenholtz: "Thank you, Mr. Speaker. Since we're killing a little time here, I would like to indicate that I voted wrong on House Bill 1096, having voted on the prevailing side. It was a Bill about hunting and I would like to be... to go on the record as voting 'no'. And perhaps Mr. Black wants to talk about this Sunday Cub game."

Speaker Novak: "The record will so reflect your wishes, Representative Feigenholtz. The House is prepared to adjourn. Allowing perfunctory time for the Clerk, Representative Hannig now moves that the House stand adjourned until Wednesday, May 28, at the hour of 12 noon. All those in favor vote 'aye'... say 'aye'; all those opposed say 'no'. The 'ayes' have it. And the House stands adjourned."